



## 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 14, 2015 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:

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
15-0501		Minutes of previous meetings (5/12/15 & 5/26/15)	
99-0714	CISM	Resolution Approving Agreement for the Management and Maintenance of a Stormwater facility (Wausau Container – 8000 Highland Drive)	Approved 4-0
15-0704	CISM & PLAN	Joint Resolution accepting dedication of right-of-way and easement for 3385 Horseshoe Spring Road	Approved 4-0 Approved 5-0
12-0507	CISM & PLAN	Joint Resolution Approving Amendment to the Transportation Project Plat for STH 52, Project ID 6999-03-28.	Approved 4-0 Approved 5-0
15-0708	ED & PLAN	Joint Resolution Adopting the East Riverfront Brownfields Area-Wide Plan	Adopted 5-0 Adopted 5-0
15-0705	HR	Resolution Adopting City of Wausau Electronic Tablet Use Policy/Agreement	Approved 5-0
15-0108	PH&S	Resolution Approving or Denying Various Licenses as Indicated	Approved 5-0
14-0810	PH&S	Ordinance Amending Section 9.04.010 State statutes adopted designating the titles of state statutory sections	Approved 5-0
70-0930	PH&S	Ordinance Repealing Section 9.04.100 Obscene language	Approved 5-0
82-1252	PH&S	Ordinance Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits, deleting obscene language	Approved 5-0

File #	CMT	Resolutions and Ordinances	ACT
15-0703		Confirmation of Mayor's Appointments Suspend the Rule 1(D) Transmission of Committee Business to Council - (2/3 Vote required) for items with pending committee action.	
15-0608	FIN	Resolution Authorizing the Issuance and Sale of \$3,930,000 General Obligation Promissory Notes, Series 2015A	Pending
15-0609	FIN	Resolution Awarding the Sale of \$5,705,000 General Obligation Corporate Purpose Bonds, Series 2015B	Pending
15-0610	FIN	Resolution Awarding the Sale of \$2,655,000 Taxable General Obligation Community Development Bonds, Series 2015C	Pending
99-1104	FIN	Resolution Modifying the Procurement Policy	Pending
15-0706	FIN	Resolution authorizing Human Resources to designate Associated Financial Group (AFG) as the agent of record for employee insurance benefit consulting and brokerage.	Pending
14-0910	ED	Resolution Approving an extension to the construction time window of the original Development Agreement between the City of Wausau and Linetec Inc. (a division of Apogee Wausau Group, Inc.) to finance facility and equipment expansion located at 7500 Stewart Avenue approved 9/9/2014.	Approved 4-0
15-0709	ED & FIN	Joint Resolution approving the proposed redevelopment project at 828 South Third Avenue (Wausau World Market, LLC)	Approved 5-0 Approved 5-0
15-0707	PLAN	Ordinance Rezoning 624 Washington Street from R4, General Residence District, to B2, Community Service District.	Approved 5-0
15-0606	PH&S	Ordinance Creating Section 8.08.05 Feral cat caregiver and TNR program requirements	Approved 5-0
92-0627	PH&S	Ordinance Amending Section 8.08.001 Definitions adding "Domesticated cat or dog" and amending "owner."	Approved 5-0
97-0404	PLAN, ED & FIN	Vetoed Joint Resolution Approving the Project Plan Amendment of Tax Increment District Number Five (TID #5) Amendment #4 <b>*Vetoed by Mayor on 6/24/15 - Requires 2/3 vote to override.</b>	Approved 3-2 Approved 4-1 Approved 4-1

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

Signed by James E. Tipple, Mayor

This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 07/09/15 @ 11:00 am. Questions regarding this agenda may be directed to the City Clerk.

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

**OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL**  
held on Tuesday, May 12, 2015, at 7:00 pm in the Council Chambers at City Hall.  
Mayor Tipple presiding.

**Roll Call**

05/12/2015 7:07:58 PM

Roll call indicated 10 members

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	NV
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

**Proclamations:**

- 1) Mayor Tipple acknowledged and congratulated **WAOW-TV Channel 9 in Celebration of their 50<sup>th</sup> Anniversary** in the City of Wausau and encouraged all citizens to join him in recognizing the economic impact they have provided in the community.
- 2) Mayor Tipple proclaimed the week of **May 17-23, 2015 as National Public Works Week** in the City of Wausau and called upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

**Presentation: Mason Cole Commendation (Lt Ben Bliven)**

Lt. Ben Bliven commended Mason Cole, seven years old, for his courage and action in calling 911, taking care of his younger brother, and letting the paramedics into the home when their mother suffered a seizure.

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

- 1) Elizabeth Field, 726 Washington Street, on behalf of the River District, spoke in support of the proposed Schierl development on 1<sup>st</sup> and 3<sup>rd</sup> Avenues. It addresses a shortage in downtown housing to attract the young professionals and will revitalize and reinvigorate the near west side.
- 2) Deb Ryan, 702 Elm St, Westies Neighborhood, commented they did not feel the Schierl development fit or was safe, didn't like the closing of Clark Street and believed that housing would be vacant a year from now. She felt there were still too many questions and there was plenty of adequate housing on the west side.
- 3) Randy Olmsted, 828 N 2<sup>nd</sup> Ave, representing the Labor Temple, addressed the Council regarding Schierl and the closing of Clark Street. He wanted there to be a 50/50 split if Clark Street was vacated. He felt they were rushing the development and there would be a safety issue with the increase of traffic with the proposed housing.
- 4) Randy Radtke, 244 Wyatt St, President of the Marathon County Labor Council, did not feel there was a need to close Clark Street or for any more housing.
- 5) Anneliese Sheahan, 409 3<sup>rd</sup> St, Treasurer for Labor Council, saw potential issues with parking and snow removal in the winter in reference to the proposed Schierl development. She stated there was not sufficient parking for the residential facility and felt the plan needed some changes.
- 6) Carla Borchardt, E17986 Cty Rd Z, Ringle, was very concerned about the closing of Clark Street in regard to traffic and parking impacts.
- 7) Andrew Halvorsen, 501 Wilshire Blvd, Stevens Point, representing Schierl Sales, asked the Council for approval of the incentives and loan to bring the project to fruition. He indicated they had a meeting set up with the Labor Temple on Monday to discuss their concerns.

**Communications**

- 1) Mayor Tipple stated the Wausau Area Public Access Channels recently received two video festival awards from the Wisconsin Community Media Organization during the Best of the Midwest Festival spring conference on April 30, 2015.

**Consent Agenda**

05/12/2015 7:48:28 PM

Motion by Nutting, second by Abitz to adopt all items on the Consent Agenda as presented:

*(Oberbeck requested 15-0504 be pulled off the Consent Agenda.)*

**15-0401** Minutes of the previous meeting(s). (4/14/15)

**12-1119** Resolution of the Finance Committee approving Notice of Election to Self-Insure Worker's Compensation Program with CVMIC.

**92-1215** Resolution of the Plan Commission Amending Wausau Urban Sewer Service Area.

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

**12-0807** Ordinance of the Public Health & Safety Committee amending Section 8.08.120(c) Pet Fancier Permit, exempting temporary foster care from licensing requirements.

**12-1014** Ordinance of the Public Health & Safety Committee amending Section 8.08.170 Licenses, exempting temporary foster care from licensing requirements.

**92-0627** Ordinance of the Public Health & Safety Committee amending Section 8.08.001(g) Definitions, adding temporary foster care.

Yes Votes: 10      No Votes: 0      Result: PASS

**15-0504** 05/12/2015 7:51:35 PM

Motion by Nutting, second by Gisselman to adopt a Resolution of the Plan Commission approving a conditional use at 2221 Grand Avenue to allow for a community center for the elderly, in a B2, Community Service District.

Yes Votes: 9      No Votes: 0      Abstain: 1  
*(Oberbeck abstained from voting for pecuniary reasons)*

**15-0503** 05/12/2015 7:52:18 PM

Motion by Gisselman, second by Neal to confirm the Mayor's appointments as presented.

Yes Votes: 9      No Votes: 0      Abstain: 1  
*(Oberbeck abstained from voting as one of the appointees)*

**14-1109** 05/12/2015 7:53:17 PM

Motion by Oberbeck, second by Rasmussen to adopt a Resolution of the Finance Committee authorizing Various Room Tax Grants and modification of the 2015 Budget.

Yes Votes: 9      No Votes: 0      Abstain: 1  
*(Gisselman abstained from voting because of affiliation with the Marathon County Historical Society)*

**15-0508** 05/12/2015 7:53:49 PM

Motion by Nutting, second by Rasmussen to adopt a Resolution of the Economic Development Committee approving demolition of Riverfront Former Post Office Site 1212 North 1<sup>st</sup> Street.

Yes Votes: 10      No Votes: 0      Result: PASS

**15-0506 Table** 05/12/2015 8:09:09 PM

Motion by Mielke, second by Gisselman to table two items under file number 15-0506 Joint Resolution of ED & Finance authorizing City to sign a Development Agreement with Schierl Sales Companies and the Ordinance of the Plan Commission of Rezoning 404 South 3<sup>rd</sup> Avenue and 308 Stewart Avenue from B2, Community Service District, to UDD; until May 26, 2015 Common Council meeting.

Mielke requested tabling (postponing) until after we find out the results of the meeting between Schierl Sales and the Labor Temple next Monday. Andrew Halvorsen stated the only concern was the timeline that is regimented by law in order to construct in 2015. He stated it would be very helpful if this was passed tonight and believed it would still allow for a significant timeframes in which to work with the Labor Temple on the Clark Street issue. Rasmussen agreed a delay could make it difficult to get off the ground in 2015 and noted if the Council voted to move forward with a public hearing there was a 40 day posting requirement beforehand. She felt

there would be plenty of time for the parties to work out their differences.

Yes Votes: 5      No Votes: 5      Abstain: 0      Not Voting: 0      Result: FAIL  
*Mayor Tipple broke the tie voting no.*

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

**15-0506 Amendment**

05/12/2015 8:13:54 PM

Motion by Nagle, second by Nutting to amend both files under number 15-0506 that the city money would be provided in 2016 with 2016 budget money and the agreement would be redrafted to provide for this approved by a majority vote. (but the construction would commence in 2015)

Winters questioned if this could be passed with a simple majority vote rather than a 2/3 majority vote just because the money was pushed to the 2016 budget. Jacobson indicated they spoke with our bond counsel and they stated if the money is budged in 2016 it is not currently a budget modification of anything that is being appropriated in 2015 and therefore would not require a 2/3's vote.

Yes Votes: 4      No Votes: 6      Abstain: 0      Not Voting: 1      Result: FAIL

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

**15-0506**

- 05/12/2015 8:14:27 PM

Motion by Nutting, second by Nagle to adopt a Joint Resolution of the Economic Development and the Finance Committees authorizing City to sign a Development Agreement with Schierl Sales Companies to provide developer incentives for the redevelopment of The Store and Stahmer Clinic facilities located at 308 West Stewart Avenue in TID #8. The developer incentives consist of a 15 year deferred interest free loan in the amount of \$275,000 and five reverse TID payments of \$57,500.

(2/3 vote required to pass)

Yes Votes: 5      No Votes: 5      Abstain: 0      Not Voting: 0      Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	NV
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	NO
7	Rasmussen, Lisa	YES

8	Kellbach, Karen	NO
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

**15-0506**

05/12/2015 8:15:49 PM

Motion by Nutting, second by Rasmussen to adopt an Ordinance of the Plan Commission Rezoning 404 South 3rd Avenue and 308 Stewart Avenue from B2, Community Service District, to UDD, Unified Development District and approving the General Development Plan to allow for a convenience store and an 11-unit multi-family residential development.

Yes Votes: 8      No Votes: 2      Abstain: 0      Not Voting: 1      Result: PASS

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

**15-0507**

05/12/2015 8:16:35 PM

Motion by Oberbeck, second by Neal to adopt an ordinance of the Plan Commission Rezoning 1550 Westwood Drive from RI, Single Family Residence District, to UDD, Unified Development District and approving the General Development Plan to allow for a 132-unit multi-family residential development.

Yes Votes: 10      No Votes: 0      Result: PASS

**15-0505**

05/12/2015 8:17:11 PM

Motion by Oberbeck, second by Winters to adopt an Ordinance of the Plan Commission Rezoning 6815 Stewart Avenue from M1-P, Limited Industrial Park District, to M1, Limited Industrial District.

Yes Votes: 10      No Votes: 0      Result: PASS

**09-1212**

05/12/2015 8:18:03 PM

Motion by Mielke, second by Oberbeck to adopt an Ordinance of the Plan Commission Amending Title 23.14.020 and 23.14.030 of the Wausau Municipal code to include a new conditional use to allow educational institutions with a parcel size 25,000-40,000 square

Yes Votes: 10      No Votes: 0      Result: PASS

**15-0108**

05/12/2015 8:18:30 PM

Motion by Rasmussen, second by Neal to adopt a Resolution of the Public Health & Safety Committee approving or denying various licenses as indicated.

Yes Votes: 10      No Votes: 0      Result: PASS

**Public Comment or Suggestions (for matters not appearing on the agenda).**

None

**Adjourn**

05/12/2015 8:19:06 PM

Motion by Neal, second by Mielke to adjourn. Motion carried unanimously. Meeting adjourned at 8:20 p.m.

James E. Tipple, Mayor  
Toni Rayala, City Clerk

**OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL**  
held on Tuesday, May 26, 2015, at 7:00 pm in the Council Chambers at City Hall.  
Mayor Tipple presiding.

**Roll Call**

05/26/2015 7:01:25 PM

Roll call indicated 10 members present.

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

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

- 1) Deb Ryan, 702 Elm St, representing Westies Neighborhood Group, spoke regarding the property on Clark Street and objections to the Schierl project. She did not feel the city cared about the west side area as much as the east.

**Communications & Committee Reports**

- 1) Steve Jones, on behalf of Frontier Communications, awarded the City of Wausau "America's Best Community Quarter Finalist" which comes with \$50,000 prize money, sponsored by the Wausau Area Chamber of Commerce. He presented the city with a plaque and a banner on behalf of Frontier Communications, Dish Network, CoBank and the Weather Channel. He was excited about the opportunity for the city to continue in the contest for a chance to win \$3 million in April 2017.
- 2) Nagle stated he has been receiving calls regarding the size of refuse bins with concerns they will be too big as well as some that want them as large as they are now. He questioned if there will be options on size of containers. Groat stated the RFP envisioned a standard size of 95 for recycling and 65 for garbage, which is considered best practice today in the industry. She indicated there will be some flexibility to choose larger or additional carts.

**Consent Agenda**

05/26/2015 7:12:49 PM

Motion by Mielke, second by Neal to approve all items on the Consent Agenda as listed below:

**15-0401** Minutes of the previous meeting(s). (04/28/15)

**15-0512** Resolution of the Capital Improvements and Street Maintenance Committee approving easement for utility relocation and extension in the East Hangar Development Area.

**02-0116** Ordinance of the Finance Committee amending Section 3.08.040 appropriations required and Creating Section 3.08.050 Annual budget adjustment required and Section 3.08.060 Annual budget monitoring.

**15-0509** Resolution of the Plan Commission approving a conditional use at 630 Adams Street to allow for an educational institution located on less than a 40,000 square foot lot, in a R3, Two Family Residence District.

**02-0116** Ordinance of the Finance Committee amending Section 3.08.040 Appropriations required and Creating Section 3.080.050 Annual budget adjustment required and Section 3.080.060 Annual budget monitoring.

Yes Votes: 10      No Votes: 0      Result: PASS

**02-0433 Election of Council President**

Neal nominated Rob Mielke for Council President, seconded by Kellbach.  
Abitz nominated Lisa Rasmussen for Council President, seconded by Neal.  
Nagle nominated Keene Winters for Council President, seconded by Oberbeck.

Nominations were closed and a vote was taken by secret ballot. Mielke -5, Rasmussen – 3, Winters – 2  
Winters was eliminated and a second vote was taken. Mielke – 6, Rasmussen – 4  
Rob Mielke was elected Council President.

**15-0105**

05/26/2015 7:21:59 PM

Motion by Rasmussen, second by Abitz to adopt a resolution of the Capital Improvements and Street Maintenance Committee approving 2015 Street Reconstruction Projects and Authorization to Let Bids-2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street and Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac.

Yes Votes: 10      No Votes: 0      Result: PASS

**15-0510**

05/26/2015 7:22:27 PM

Motion by Wagner, second by Neal to adopt a resolution of the Economic Development Committee approving a City of Wausau Property Disposition Program.

Yes Votes: 10      No Votes: 0      Result: PASS

**14-1013**

05/26/2015 7:23:00 PM

Motion by Gisselman, second by Neal to adopt a Resolution of the Economic Development Committee accepting the proposal from Badger Lofts for the redevelopment of 1418 North First Street (Sav-O Supply building) into a 29 unit apartment complex.

Yes Votes: 8      No Votes: 2      Abstain: 0      Not Voting: 1      Result: PASS

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

**03-0916**

05/26/2015 7:30:22 PM

Motion by Wagner, second by Rasmussen to adopt a Charter Ordinance of the Human Resources Committee amending Section 2.04.020 Common Council, relating to term of alderpersons.

Neal requested clarification. Jacobson explained this eliminates the previous action to stagger the terms of alderperson and puts it back to election for all 11 seats every two years.

Gisselman commented he opposed the previous action in 2013 to stagger the terms because for the alderpersons also on the County Board this could mean running for election every year for one office or the other. It was his understanding that the reasoning behind staggering terms had to do with preventing the possible complete turnover of the Council. He questioned why they were now proposing to put it back now before it has even been tried.

Rasmussen indicated she originally voted for it but upon reflection has now changed her mind as far as what the implementation of it could look like. We would create a situation where every year half of the city would be going to the polls and cause voter confusion on which half of the Council is up each year. She felt there was merit in having consistency for a two year cycle. This could also result in a complete upset of committees, committee chairpersons and a disruption of the work to be done.

Wagner stated he also was strongly for this change in 2013 and has reconsidered and now believes we made a mistake. He felt what has been missing from our Council elections, is that we need to bring in someone like Steve Hintz to educate the Council on what their roles are. It takes a about a year for a new member to get accustomed to the job and we need to have a committee structure that we can count on for that two years. He urged support of the ordinance.

Yes Votes: 9      No Votes: 1      Abstain: 0      Not Voting: 1      Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	NY
4	Neal, Tom	YES
5	Gisselman, Gary	NO
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**

05/26/2015 7:31:24 PM

Motion by Neal, second by Mielke to Suspend Rule #1(D) Transmission of Committee Business to Council - (2/3 Vote of the members present) for items with pending committee action.

Yes Votes: 10      No Votes: 0      Result: PASS

**15-0511**

05/26/2015 7:31:48 PM

Motion by Neal, second by Rasmussen to adopt a resolution of the Finance Committee approving Meetings Mean Business agreement between the City of Wausau and the Wausau/Central Wisconsin Convention and Visitors Bureau, Inc.

Yes Votes: 10      No Votes: 0      Result: PASS

**14-1109**

05/26/2015 7:32:27 PM

Motion by Mielke, second by Oberbeck to adopt a resolution of the Finance Committee authorizing a Budget Modification to restore funding for the 2015 street seal coat project. (needs 2/3 of members 7)

Yes Votes: 10      No Votes: 0      Result: PASS

**15-0513**

05/26/2015 7:33:20 PM

Motion by Neal, second by Kellbach to adopt a resolution of the Finance Committee approving agreements with Infovision Software, LLC, for Permitting and Inspection Software.

Yes Votes: 10      No Votes: 0      Result: PASS

**15-0514 (Addendum)**

05/26/2015 7:34:35 PM

Motion by Rasmussen, second by Neal to adopt an initial resolution setting a public hearing vacating and discontinuing Clark Street between South 3<sup>rd</sup> Avenue and South 4<sup>th</sup> Avenue.

Yes Votes: 10      No Votes: 0      Result: PASS

**Public Comment or Suggestions (for matters not appearing on the agenda).**

- 1) Deb Ryan, 702 Elm St, stated as of today we have eight neighborhood groups that have been established online, with the newest one being Werle Park. She felt this was a good tool to communicate with our neighbors. She urged the Mayor to fill the vacancies on the Neighbor 2 Neighbor Committee to get representation for the west side.

**Adjourn**

05/26/2015 7:37:02 PM

Motion by Neal, second by Mielke to adjourn. Motion carried unanimously. Meeting adjourned at 7:37 p.m.

James E. Tipple, Mayor  
Toni Rayala, City Clerk

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

<b>RESOLUTION OF THE CAPITAL IMPROVEMENTS &amp; STREET MAINTENANCE COMMITTEE</b>	
Approving Agreement for the Management and Maintenance of a Stormwater facility (Wausau Container – 8000 Highland Drive)	
Committee Action:	Approved 4-0
Fiscal Impact:	None
<b>File Number:</b>	99-0714
<b>Date Introduced:</b>	July 14, 2015

<b>FISCAL IMPACT SUMMARY</b>			
<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	<i>Included in Budget:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount</i> <span style="float:right"><i>Annual Retirement</i></span>
	<i>TID Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

**RESOLUTION**

**WHEREAS**, your Capital Improvements and Street Maintenance Committee met on June 11, 2015 to review the agreement and recommends approval of an Agreement for the Management and Maintenance of a Stormwater Facility for Wausau Container, for stormwater facilities on their property at 8000 Highland Drive; now therefore

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

Approved:

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James E. Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: June 11, 2015, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Mielke, Gisselman, Kellbach, Abitz

Also Present: Lindman, Jacobson, Lenz, Wesolowski, Winters

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. Vice Chairperson Mielke called the meeting to order.

### **Discussion and possible action on a Stormwater Maintenance Agreement for Wausau Container at 8000 Highland Drive**

---

Wesolowski stated that because Wausau Container is building a new building, they are resizing and reshaping their stormwater facilities. This maintenance agreement is in accordance with the ordinance.

Gisselman moved to approve the Stormwater Maintenance Agreement for Wausau Container at 8000 Highland Drive. Kellbach seconded and the motion carried unanimously 4-0.

AGENDA ITEM
Discussion and possible action on a Stormwater Maintenance Agreement for Wausau Container at 8000 Highland Drive
BACKGROUND
Wausau Container, located in the City’s Business Park, is in the process of constructing a 28,690 sq. ft. building addition to provide warehouse space. The addition is proposed on the north side of the existing building. A drainage swale and an existing stormwater pond (to be re-sized and re-shaped) will accommodate the additional stormwater runoff from the proposed improvements. To ensure properly functioning stormwater facilities year after year, the City requires the owner to sign a maintenance agreement, making the owner inspect and maintain the facilities on a bi-annual basis. The maintenance agreement is attached for your review.
FISCAL IMPACT
None
STAFF RECOMMENDATION
Staff recommends approval of the stormwater maintenance agreement.
Staff contact: Sean Gehin 715-261-6748

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

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

Accepting dedication of right-of-way and easement for 3385 Horseshoe Spring Road

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

Fiscal Impact: None

**File Number:** 15-0704      **Date Introduced:** July 14, 2015

**FISCAL IMPACT SUMMARY**

<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	<i>Included in Budget:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

**RESOLUTION**

**WHEREAS**, the property owners of 3385 Horseshoe Spring Road have requested permission to install a gate within the wall located on Horseshoe Spring Road; and

**WHEREAS**, upon researching easements for existing gates, it was discovered that the right-of-way for Horseshoe Spring Road has never been dedicated to the City; and

**WHEREAS**, the property owners would dedicate the needed 38' for road right-of-way and grant the City a 5' easement for maintenance of the wall; and

**WHEREAS**, your Capital Improvements and Street Maintenance Committee reviewed the dedication and easement on June 11, 2015; and your Plan Commission has reviewed dedication and easement on June 16, 2015; and recommends approval of the 38' dedication and 5' easement; now therefore

**BE IT RESOLVED** the Common Council of the City of Wausau does hereby accept the dedication of right-of-way as shown on the accompanying map, along with title to the property, and approves the acceptance of the easement, a copy of which is attached hereto and incorporated herein by reference, and the

City Clerk is hereby instructed to have the documents recorded in the office of the Marathon County Register of Deeds.

Approved:

---

James E. Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

---

Date of Meeting: June 11, 2015, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Mielke, Gisselman, Kellbach, Abitz

Also Present: Lindman, Jacobson, Lenz, Wesolowski, Winters

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. Vice Chairperson Mielke called the meeting to order.

### **Discussion and possible action on dedication of right-of-way and easement for 3385 Horseshoe Spring Road**

---

Wesolowski stated this was at CISM last month and staff was directed to draft the documents. Initially it was proposed that the property owners would deed over 43' for right-of-way. However, the property owners felt 43' was too much as that would include some of their property on the other side of the wall. The new proposal is for the owners to dedicate 38' for right-of-way and the owners would grant the City a 5' easement for maintenance of the wall.

Abitz questioned if the owners would then be able to maintain the gate. Wesolowski explained there is not a gate at this time but the property owners wish to install a gate. The owners would be responsible for the maintenance of the gate and the proposed gate would have to be reviewed by the Engineering Department. The gate would also have to be constructed by a licensed and bonded contractor.

Abitz moved to approve the dedication of right-of-way and easement for 3385 Horseshoe Spring Road. Gisselman seconded and the motion carried unanimously 4-0.

## PLAN COMMISSION

---

Time and Date: The Plan Commission met on Tuesday, June 16, 2015, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

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

Others Present: Lenz, Hebert, Groat, Flashinski, Gutknecht, Lawrence, Peiffer

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

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

### **Discussion and possible action on dedication of right-of-way and easement for 3385 Horseshoe Spring Road.**

---

Lindman said that this item went to CISM on June 11. This is for a private residence that would like to cut a hole and construct a door in the retaining wall for access to the river. This has been done before and requires an easement. The plans will be reviewed by the Engineering Department to ensure there aren't any structural issues.

Gisselman motioned to dedicate the right-of-way and easement for 3385 Horseshoe Spring Road. Rosenberg seconded, and the motion carried unanimously 5-0.

Agenda Item No.

6

*STAFF REPORT TO CISM COMMITTEE – June 11, 2015*

<b>AGENDA ITEM</b>
Discussion and possible action on dedication of right-of-way and easement for 3385 Horseshoe Spring Road
<b>BACKGROUND</b>
This item was before CISM last month and the Committee voted to have staff work with Travis Dzwonkowski from 3385 Horseshoe Spring Road to get an easement and dedication of right-of-way. Staff met with Mr. Dzwonkowski and confirmed the preferred location of the opening and requirements for dedication. The easement agreement and deed for the right of way are included as attachments.
<b>FISCAL IMPACT</b>
None
<b>STAFF RECOMMENDATION</b>
Staff recommends approval of the dedication and easement.
Staff contact: Allen Wesolowski 715-261-6762

State Bar of Wisconsin Form 3-2003  
QUIT CLAIM DEED

Document Number

Document Name

THIS DEED, made between Travis Dzwonkowski, a single person, and Jodi Schiller, a single person  
\_\_\_\_\_  
("Grantor," whether one or more),  
and City of Wausau, a municipal corporation of the State of Wisconsin  
\_\_\_\_\_  
("Grantee," whether one or more).

Grantor quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Marathon  
County, State of Wisconsin ("Property"):

Part of the parcel described in Document No. 1685097 recorded in the Office of Register of Deeds for Marathon County, being part of Government Lot 4, Section 24, Township 29 North, Range & East, City of Wausau, Marathon County, Wisconsin, described as follows:

That portion of the southern parcel described in said Document No. 1685097, lying between the Northwesterly line of said southern parcel, said line described as lying along the "curb line on Horseshoe Spring Road" in said document, and a line 43 feet Northwesterly of and parallel with said line.

Note: The intention of this deed is to establish the width of the Right-of-Way of Horseshoe Spring Road as 43 feet.

Dated 6-17-15

Travis M. Dzwonkowski (SEAL) Jodi Schiller (SEAL)  
\* Travis Dzwonkowski \* Jodi Schiller

\_\_\_\_\_  
\* \_\_\_\_\_ \*  
(SEAL) (SEAL)

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) \_\_\_\_\_  
authenticated on \_\_\_\_\_

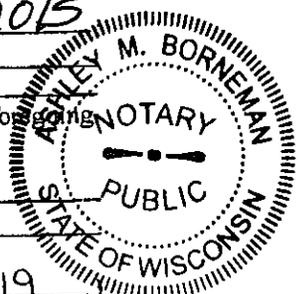
STATE OF WISCONSIN )  
MARATHON COUNTY ) ss.

\* \_\_\_\_\_  
TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, \_\_\_\_\_  
authorized by Wis. Stat. § 706.06)

Personally came before me on June 17, 2015  
the above-named Travis Dzwonkowski and Jodi Schiller  
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

THIS INSTRUMENT DRAFTED BY:  
Anne L. Jacobson, City Attorney for City of Wausau  
407 Grant Street, Wausau WI 54403

\* Ashley M. Borneman  
Notary Public, State of Wisconsin  
My Commission (is permanent) (expires: 4-26-19)

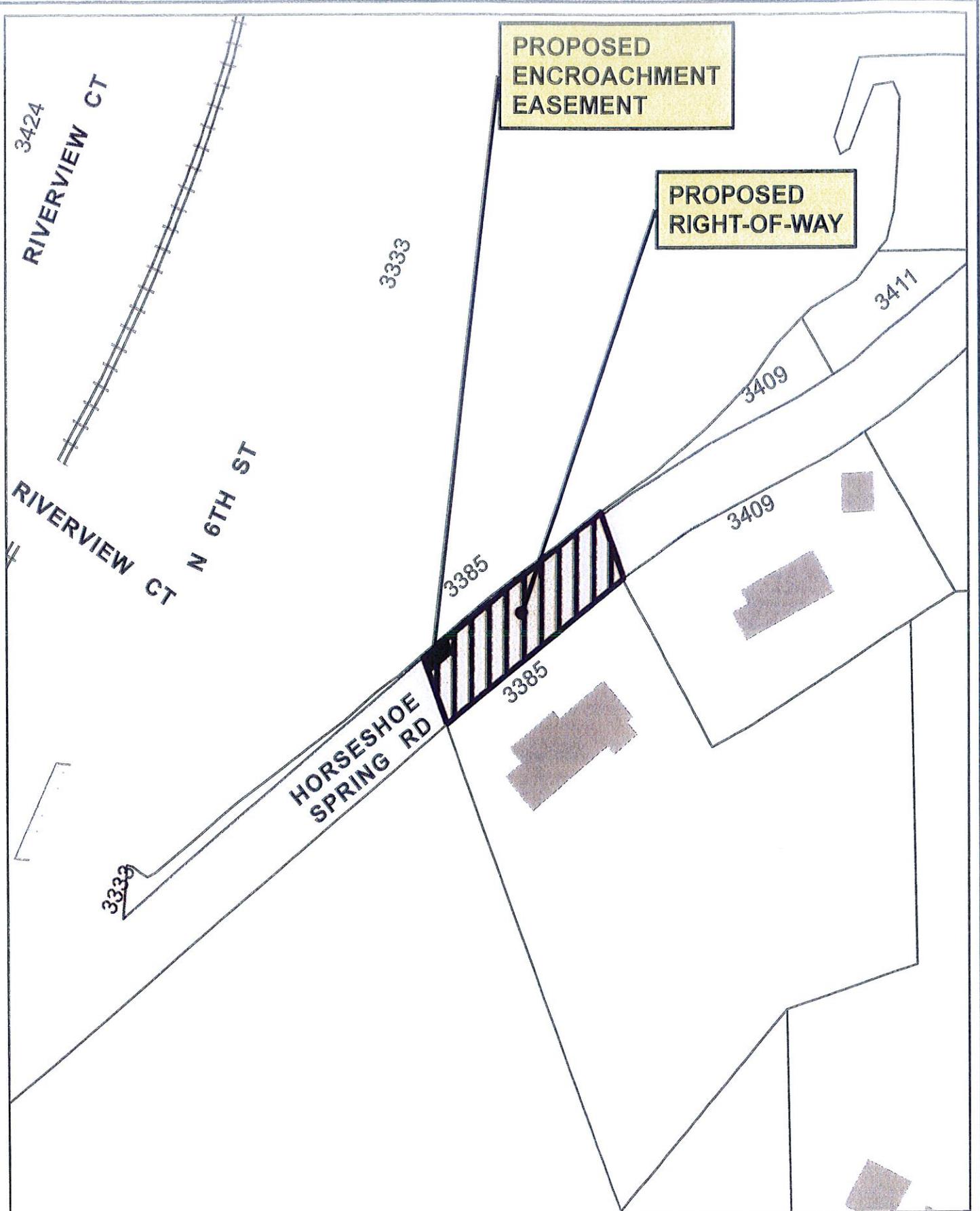


Recording Area  
Name and Return Address  
City of Wausau Attorney's Office  
407 Grant Street  
Wausau WI 54403

291.2907.241.0993  
Parcel Identification Number (PIN)  
This is not \_\_\_\_\_ homestead property.  
(is) (is not)

(Signatures may be authenticated or acknowledged. Both are not necessary.)  
NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.  
© 2003 STATE BAR OF WISCONSIN FORM NO. 3-2003

QUIT CLAIM DEED  
\* Type name below signatures.



**PROPOSED  
ENCROACHMENT  
EASEMENT**

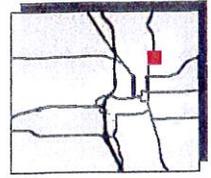
**PROPOSED  
RIGHT-OF-WAY**



Map Date: June 3, 2015

**CITY OF WAUSAU**  
Marathon County, Wisconsin

- Legend**
-  Right of Way
  -  Building



**EASEMENT AGREEMENT**

Document Title

THIS AGREEMENT, made this 17<sup>th</sup> day of June, 2015, by and between the CITY OF WAUSAU, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, hereinafter referred to as "CITY", and Travis Dzwonkowski and Jodi Schiller, the owners of land in the City of Wausau adjacent to the stone wall along Horseshoe Spring Road which is the subject of this easement, hereinafter referred to as "OWNER";

WITNESSETH:

WHEREAS, OWNER owns the property known as 3385 Horseshoe Spring Road and also owns property behind the stone wall across the road from his residence in the City of Wausau, and OWNER has requested that CITY grant to them permission by easement to locate an access gate and stairway within the stone wall located in city right-of-way for access to the Jim Moore Creek; and

WHEREAS, CITY is willing to permit this encroachment upon certain terms and conditions, including hold harmless and insurance provisions; and

WHEREAS, the intent of this easement is to allow for OWNER to create an access opening in the wall along Horseshoe Spring Road, said opening centered on the wall approximately 13 feet northeasterly of where said wall crosses the owner's westerly property line; and

WHEREAS, the area encompassed by this easement is described as follows:

Part of the parcel described in Document No. 1685097 recorded in the Office of Register of Deeds for Marathon County, being part of Government Lot 4, Section 24, Township 29 North, Range & East, City of Wausau, Marathon County, Wisconsin, described as follows:

The Northwesternly 10 feet of the Southwesterly 20 feet of the following described proposed Right-of-Way parcel:

That portion of the southern parcel described in said Document No. 1685097, lying between the Northwesternly line of said southern parcel, said line described as lying along the "curb line on Horseshoe Spring Road" in said document, and a line 43 feet Northwesternly of and parallel with said line.

NOW, THEREFORE, the parties hereto agree as follows:

1. CITY grants to OWNER an easement in the stone wall located in city right-of-way along Horseshoe Spring Road across the road from OWNER's property at 3385 Horseshoe Spring Road for the purpose of installing and maintaining an access gate in the stone wall and a stairway within the stone wall located in city right-of-way along Horseshoe Spring Road. The owner must submit plans for approval to the City prior to any work. Any work by the OWNER within the right of way or on the wall must be done by a licensed and bonded contractor with the CITY. The OWNER shall notify the CITY prior to any construction and allow the CITY to inspect any work within the right of way or easement.

Recording Area

Name and Return Address

City of Wausau Attorney's Office  
407 Grant Street  
Wausau, WI 54403

PIN: 37.291.2907.241.0993

2. OWNER shall maintain liability insurance coverage for their operations on and activities at their location including the easement area, which insurance shall be suitable to CITY and in an amount not less than one million dollars. CITY shall be named as an additional insured on the policy. OWNER shall increase these insurance limits upon request of the CITY.
3. OWNER shall comply with all applicable laws and codes regarding the installation and maintenance of said gate.
4. OWNER agrees to indemnify and hold harmless CITY, its employees, agents, officers and officials, whether hired, appointed or elected, free and harmless from and against any and all judgments, damages, losses, costs, claims, expenses, suits, demands, actions and/or causes of action of any kind or of any nature which may be sustained or to which they may be exposed by reason of injury or injuries to anyone or of the death or deaths of anyone, or by reason of any personal injury and/or real property damage, or by reason of any other liability imposed by law or by anything or by anyone else upon the above-referenced entities and/or individuals as the result of and/or due to OWNER'S and/or anyone else's operations, actions or omissions on the demised premises or on the adjacent premises owned by OWNER and/or as a result of and/or due to the presence of OWNER or anyone else on the demised premises or on any adjacent premises owned by OWNER and/or due to the existence of this agreement; specifically included within this indemnification and hold harmless are attorneys' fees and other costs of defense which may be sustained by and/or occasioned to the above-referenced entities and/or individuals.
5. OWNER agrees to release CITY, its employees, agents, officers and officials, whether appointed, hired or elected, from and against any and all judgments, damages, losses, costs, claims, expenses, suits, demands, actions, and/or causes of action of any kind or of any nature, which may be sustained or to which they may be exposed by reason of injury or injuries to anyone or of the death or deaths of anyone, or by reason of any personal injury and/or real property damage, or by reason of any other liability imposed by law or by anything or by anyone else upon the above-referenced entities and/or individuals as the result of and/or due to OWNER'S and/or anyone else's operations, actions or omissions on the demised premises or any adjacent premises owned by OWNER and/or as a result of and/or due to the presence of OWNER or anyone else on the demised premises or on any adjacent premises owned by OWNER and/or due to the existence of this agreement; specifically included within this release section are attorneys' fees and other costs of defense which may be sustained by and/or occasioned to the above-referenced entities and/or individuals.
6. This agreement and all of its provisions, with the exception of the continuing insurance, hold harmless, and release provisions, which shall continue and survive as required by CITY, shall terminate and become null and void, and the access gate shall be removed by OWNER at their expense within thirty (30) days of notice by CITY. Such removal can be ordered by CITY, at its sole option, for any reason.
7. The terms of this agreement are transferrable by OWNER; however, CITY must be given notice, in writing, of any transfer.

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

CITY OF WAUSAU BY:

James E. Tipple, Mayor

Travis M. Dzwonkowski  
Travis Dzwonkowski

Toni Rayala, Clerk

Jodi Schiller  
Jodi Schiller

STATE OF WISCONSIN )  
                                  ) ss.  
COUNTY OF MARATHON)

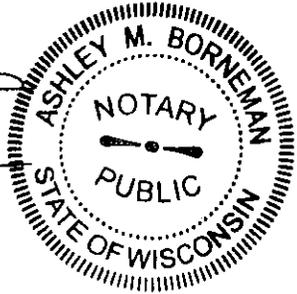
Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the above named James E. Tipple, Mayor, and Toni Rayala, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

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

STATE OF WISCONSIN )  
                                  ) ss.  
COUNTY OF MARATHON)

Personally came before me this 17 day of June, 2015, the above named Travis Dzwonkowski, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

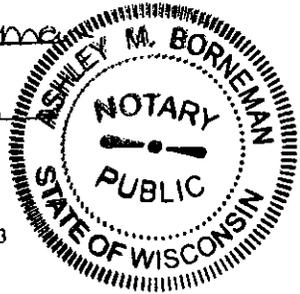
Ashley M. Borneman  
Notary Public, Wisconsin  
My commission expires: 4-26-19

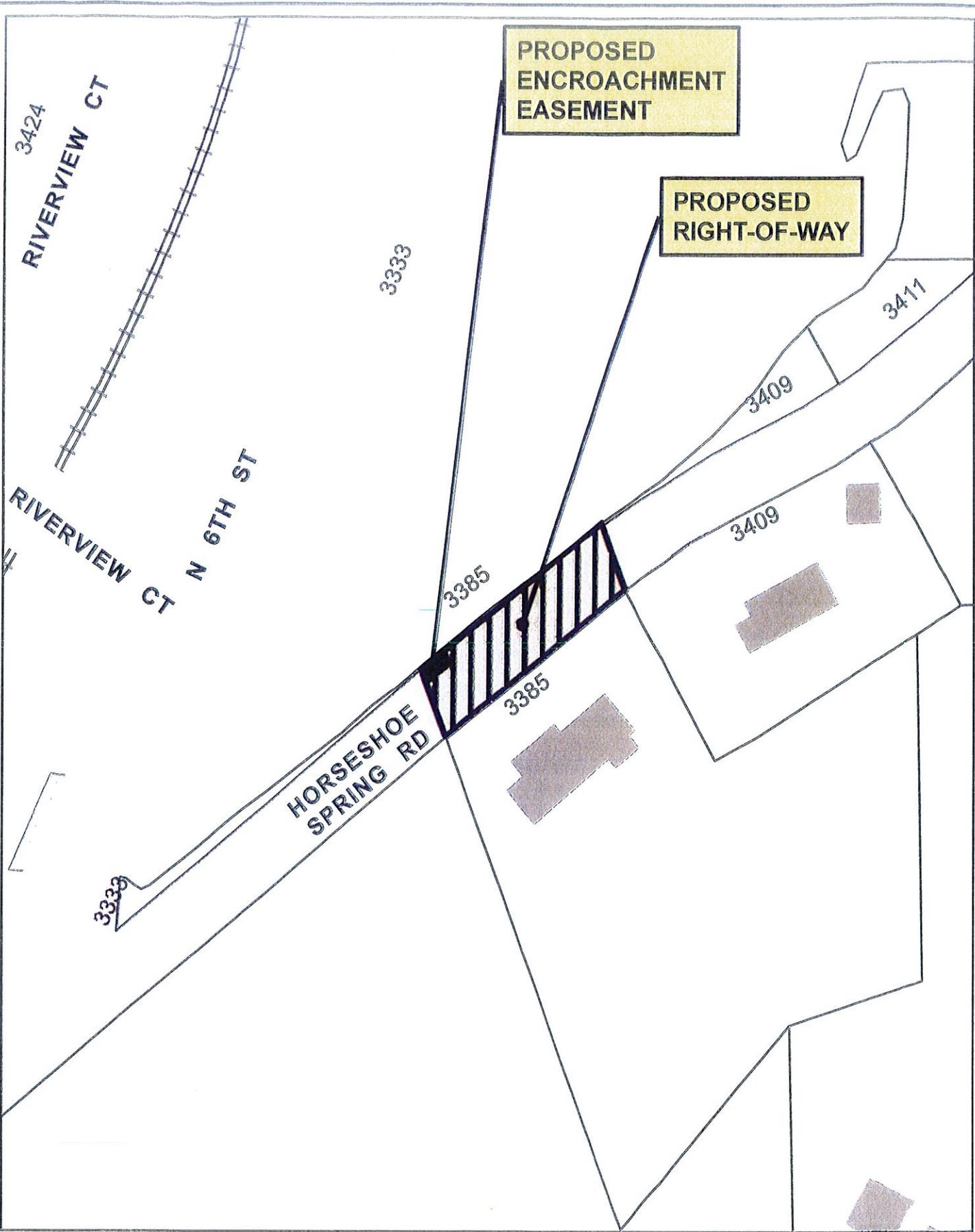


STATE OF WISCONSIN )  
                                  ) ss.  
COUNTY OF MARATHON)

Personally came before me this 17 day of June, 2015, the above named Jodi Schiller, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Ashley M. Borneman  
Notary Public, Wisconsin  
My commission expires: 4-26-19





PROPOSED  
ENCROACHMENT  
EASEMENT

PROPOSED  
RIGHT-OF-WAY

3424  
RIVERVIEW CT

3333

N 6TH ST

RIVERVIEW CT

3409

3411

3409

3385

3385

HORSESHOE  
SPRING RD

3333



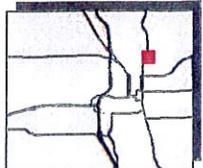
0 25 50 100 Feet

Map Date: June 3, 2015

# CITY OF WAUSAU

Marathon County, Wisconsin

- Legend
- Right of Way
  - Building



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

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

Approving Amendment to the Transportation Project Plat for STH 52, Project ID 6999-03-28.

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

Fiscal Impact: None. The DOT will be reimbursing the City 100% of the real estate costs.

**File Number:** 12-0507

**Date Introduced:** July 14, 2015

**FISCAL IMPACT SUMMARY**

<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	<i>Included in Budget:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount</i> <span style="float: right;"><i>Annual Retirement</i></span>
	<i>TID Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

**RESOLUTION**

**WHEREAS**, a resurfacing project that will repair concrete joints and overlay with asphalt is proposed for Highway 52 (Stewart Avenue) from 17<sup>th</sup> Avenue to 1<sup>st</sup> Street; and

**WHEREAS**, in preparation for this resurfacing project, the City must acquire the necessary real estate (for spot widening, improvement of public corners and installation of new traffic signals) along Highway 52 (Stewart Avenue) in accordance with the State/Municipal Agreement and revisions approved by the Common Council on May 22, 2012; September 10, 2013; and December 9, 2014; and

**WHEREAS**, the City of Wausau intends to move forward with the street resurfacing project by acquiring the right-of-way and other private interests needed for this public improvement project; and

**WHEREAS**, to implement this street improvement plan, on February 24, 2015, the Common Council adopted a transportation project plat showing the lands and interests required for the project to move forward and the method of acquisition; and

**WHEREAS**, it has been discovered that the sign for the University of Wisconsin Marathon County would need to be purchased and relocated; and

**WHEREAS**, in order to avoid purchasing and relocating the sign, an Amendment to the Transportation Project Plat is proposed; and

**WHEREAS**, your Capital Improvements and Street Maintenance Committee reviewed the Amendment to the Transportation Plat on June 11, 2015, and your Plan Commission reviewed the Amendment to the Transportation Plat on June 16, 2015, and both recommend approval of this amendment; now therefore

**BE IT RESOLVED** by the Common Council of the City of Wausau:

1. That this resolution, along with the Transportation Project Plat sheet numbered 4.03 Amendment No. 1 attached thereto, shall constitute an amendment to the transportation project plat for the project in question;
2. That the City of Wausau hereby determines it is necessary and a public purpose for spot widening, improvement of public corners and installation of new traffic signals, and to that end it is necessary and a public purpose to acquire fee simple title or easements to the property interests in question, either by donation or acquisition, or by eminent domain (condemnation) if necessary;
3. That to properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the street designated on the transportation project plat reference above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the transportation project plat for the above project; that to effect this change, pursuant to authority granted under Section 32.05 and 32.07 of the Wisconsin Statutes, the Common Council of the City of Wausau orders that:
  - a. The said streets are laid out and established to the lines and widths as shown on the transportation project plat.
  - b. The required lands or interests in lands as shown on the transportation project plat and described on plat sheet numbers 4.03 Amendment No. 1 shall be acquired by eminent domain if necessary.
4. That the City Clerk is hereby directed to file a copy of this amendment to the transportation project plat within 20 days with the County Clerk of Marathon County; and
5. That the proper City officials are hereby authorized and directed to acquire for street purposes the property interests needed for this project, as shown on the attached transportation project plat sheets 4.03 Amendment No. 1.

Approved:

---

James E. Tipple, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: June 11, 2015, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Mielke, Gisselman, Kellbach, Abitz

Also Present: Lindman, Jacobson, Lenz, Wesolowski, Winters

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. Vice Chairperson Mielke called the meeting to order.

### **Discussion and possible action on Amendment to the Transportation Project Plat for STH 52, Project ID 6999-03-28**

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Wesolowski stated the amendment to the plat has been requested by the design engineer and SRF, the real estate agent. The sign for UW Marathon would have to be purchased and relocated. In amending the plat, the sign would be located outside of the purchase area. The real estate consultant has discussed this with UW Marathon and there are no issues.

Abitz moved to approve the Amendment to the Transportation Project Plat for STH 52, Project ID 6999-03-28. Kellbach seconded and the motion carried unanimously 4-0.

## PLAN COMMISSION

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Time and Date: The Plan Commission met on Tuesday, June 16, 2015, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

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

Others Present: Lenz, Hebert, Groat, Flashinski, Gutknecht, Lawrence, Peiffer

### **Discussion and possible action on Amendment to the Transportation Project Plat for South 52, Project ID 6999-03-28.**

Lenz said that Allen Wesolowski had originally written the report and worked with the Department of Transportation. The plat was revised to make the taking a temporary limited easement. The amended plat was approved by CISM.

Rosenberg motioned to approve the Amendment to the Transportation Project Plat for South 52, Project ID 6999-03-28. Gisselman seconded, and the motion carried unanimously.

Agenda Item No.

10

*STAFF REPORT TO CISM COMMITTEE – June 11, 2015*

**AGENDA ITEM**

Discussion and possible action on Amendment to the Transportation Project Plat for STH 52, Project ID 6999-03-28

**BACKGROUND**

The plat for this project was previously approved. The consultant is proposing to revise the plat to minimize the right-of-way taking from Marathon County. This revision will allow the existing sign to stay in place.

**FISCAL IMPACT**

There is no fiscal impact to the City because the WDOT is reimbursing the City 100% of the real estate costs. The savings would be to the WDOT.

**STAFF RECOMMENDATION**

Staff recommends approving the revised Transportation Project Plat.

Staff contact: Allen Wesolowski 715-261-6762

TRANSPORTATION PROJECT PLAT NO: 6999-03-28 - 4.03 AMENDMENT NO: 1  
 AMENDS PARCEL NO: 2 OF TRANSPORTATION PROJECT PLAT 6999-03-28 - 4.03  
 RECORDED AS DOCUMENT NO: 1688151 FILED IN CAB 3 PG 540A

C WAUSAU, HIGHWAY 52 (17TH AVENUE TO FIRST STREET)

PART OF LOT 2, BLOCK 7, A. WARREN JR'S. WEST ADDITION TO THE CITY OF WAUSAU, LOCATED IN THE SE 1/4 OF THE SW 1/4, SECTION 26 AND PART OF LOT 10, BLOCK 12, A. WARREN JR'S. WEST ADDITION AND PART OF LOT 1, CSM NO. 15830, DOCUMENT NO. 1572954 BEING A PART OF LOT 11, BLOCK 11, A. WARREN JR'S. WEST ADDITION TO THE CITY OF WAUSAU, LOCATED IN THE NE 1/4 OF THE NW 1/4, SECTION 35, ALL IN TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN.

RELOCATION ORDER STH 52, MARATHON COUNTY

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE CITY OF WAUSAU DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE PROJECT.

TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SECTION 62.22, WISCONSIN STATUTES, THE CITY OF WAUSAU

1. THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE PROJECT.  
 2. THE LANDS OR INTERESTS OR RIGHTS IN LANDS AS SHOWN ON THIS PLAT ARE REQUIRED BY THE CITY FOR THE ABOVE PROJECT AND SHALL BE ACQUIRED IN THE NAME OF THE CITY OF WAUSAU, PURSUANT TO THE PROVISIONS OF SECTION 62.22, WISCONSIN STATUTES.

FOR ADDITIONAL INFORMATION REFER TO THE TITLE SHEET, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN MARATHON COUNTY AS SHEET 2 OF 2 OF DOCUMENT NUMBER 1687902.

SCHEDULE OF LANDS & INTERESTS REQUIRED

OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTERESTS TO THE DEPARTMENT

SHEETS	PARCEL NUMBER	OWNER (S)	INTEREST REQUIRED	R/W S.F. REQUIRED		PLE S.F.	TLE S.F.
				NEW	TOTAL		
4.01, 4.02	2	MARATHON COUNTY	FEE/TLE	70	70	-	106
-	-	-	-	-	-	-	-
5	MICHAEL T. DODGE	TLE	-	-	-	-	181
-	-	-	-	-	-	-	-

UTILITY INTERESTS REQUIRED

UTILITY NUMBER	OWNER (S)	INTEREST REQUIRED
202	WAUSAU COMMUNITY AREA NETWORK	RELEASE OF RIGHTS

ROAD NAME	BASIS OF EXISTING R/W	YEAR
STH 52	PLAN OF A. WARREN JR'S. WEST ADDITION TO THE CITY OF WAUSAU	1882
STH 52	R/W PROJECT NO. T020-2 (22)	1965

UTILITY	RECORDING INFORMATION	PARCEL
202	NO RECORDED EASEMENT	2

ACCEPTED FOR RECORDING AND FILING IN THE OFFICE OF THE REGISTER OF DEEDS IN MARATHON COUNTY, WISCONSIN AT \_\_\_\_\_ M ON \_\_\_\_\_ AS DOCUMENT # \_\_\_\_\_ AND FILED IN \_\_\_\_\_

SIGNATURE OF REGISTER OF DEEDS

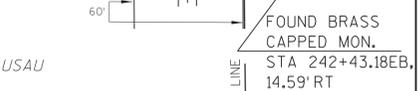
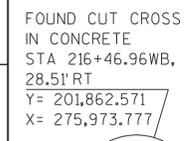
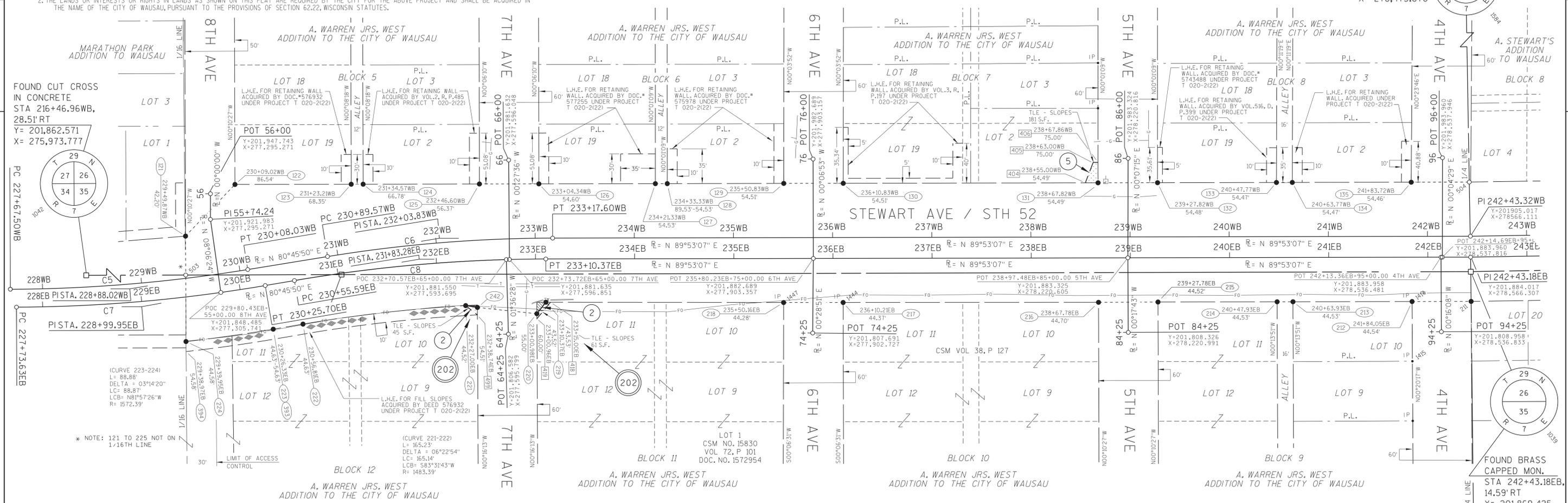
RESERVED FOR REGISTER OF DEEDS PROJECT NUMBER 6999-03-28-4.03 AMENDMENT NO. 1

SE-SW  
SEC 26-29-7E

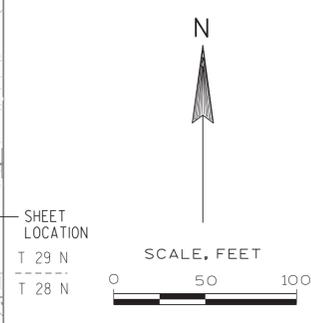
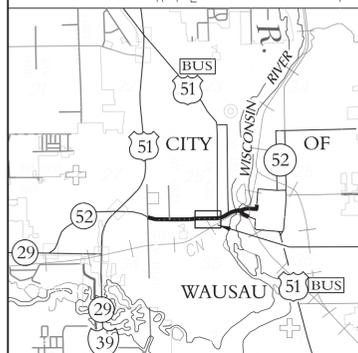
CITY OF WAUSAU

NE-NW  
SEC 35-29-7E

CITY OF WAUSAU



LOCATION SKETCH  
NOT TO SCALE



COURSE DATA (SEGMENTS)			COURSE DATA (TRAVERSE)		
PT.-PT.	BEARING	DISTANCE	PT.-PT.	BEARING	DISTANCE
122-123	N89°53'26"E	117.28'	1039-211	S00°37'20"E	29.96'
123-124	N89°53'26"E	12.00'	211-215	S89°53'26"W	315.83'
124-125	N89°53'26"E	117.28'	215-216	S89°42'36"W	60.00'
125-126	N89°53'26"E	117.28'	216-217	S89°53'37"W	257.57'
126-127	N89°53'26"E	117.49'	217-218	S89°57'53"W	60.04'
127-128	N89°53'26"E	12.00'	218-219	N89°55'53"W	239.79'
128-129	N89°53'26"E	117.49'	219-220	S38°04'43"W	14.65'
129-130	N89°53'26"E	60.00'	220-242	N84°00'36"W	60.36'
130-131	N89°53'26"E	257.00'	242-221	N81°04'23"W	11.98'
131-132	N89°53'26"E	60.00'	222-223	S80°20'16"W	30.44'
132-133	N89°53'26"E	119.95'	224-225	N00°05'54"W	6.76'
133-134	N89°53'26"E	16.00'	225-503	N00°15'39"W	60.13'
134-135	N89°53'26"E	119.95'	503-121	N00°15'39"W	39.15'
135-504	N89°53'26"E	58.55'	121-122	N43°49'15"E	71.98'
211-212	S89°53'26"W	59.56'	122-504	N89°53'26"E	1244.98'
212-213	S89°53'26"W	120.13'	504-1039	S00°58'52"E	90.05'
213-214	S89°53'26"W	16.00'			
214-215	S89°53'26"W	120.15'			

STATION - OUT TABLE		
POINT	STATION	OUT
242	232+39.09EB	47.00 RT

RECOVERED MONUMENTS			
POINT	Y	X	DESCRIPTION
1414	201839.30	278507.25	40D NAIL
1415	201779.58	278507.60	1" PINCHED IRON PIPE
1444	201838.38	277933.42	1" IRON PIPE
1447	201838.35	277873.38	1" REBAR

- CURVE 5  
PISTA. 228+88.02WB  
Y=201852.164  
X=277213.932  
DELTA=9°01'12" LT.  
T=120.52'  
L=240.53'  
R=1527.89'
- CURVE 6  
PISTA. 232+03.83WB  
Y=201902.933  
X=277526.138  
DELTA=9°07'17" RT.  
T=114.26'  
L=228.03'  
R=1432.39'
- CURVE 8  
PISTA. 231+83.28EB  
Y=201801.892  
X=277505.813  
DELTA=9°33'15" RT.  
T=127.69'  
L=252.07'  
R=1527.89'
- CURVE 7  
PISTA. 228+99.95EB  
Y=201834.209  
X=277225.946  
DELTA=9°27'10" LT.  
T=126.32'  
L=252.07'  
R=1527.89'



I, DUANE A. HOLMAN, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF SECTION 84.095 OF THE WISCONSIN STATUTES AND UNDER THE DIRECTION OF THE CITY OF WAUSAU, I HAVE SURVEYED AND MAPPED TRANSPORTATION PROJECT PLAT 6999-03-28-4.03 AND THAT SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES OF THE SURVEYED LAND.  
 (SIGNATURE) \_\_\_\_\_ DATE: 6-5-15  
 DUANE A. HOLMAN  
 P.L.S. NUMBER 1294  
 THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE CITY OF WAUSAU.  
 (SIGNATURE) \_\_\_\_\_ DATE: \_\_\_\_\_  
 JAMES E. TIPPLE, MAYOR



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

<b>JOINT RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE AND PLAN COMMISSION</b>	
Adopting the East Riverfront Brownfields Area-Wide Plan	
Committee Action:	ED: Approved 5-0 Plan Comm: Approved 5-0
Fiscal Impact:	Adoption of the plan is not a budgetary commitment
<b>File Number:</b>	15-0708
<b>Date Introduced:</b>	July 14, 2015

<b>FISCAL IMPACT SUMMARY</b>			
<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	<i>Included in Budget:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount</i> <span style="float:right"><i>Annual Retirement</i></span>
	<i>TID Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

**RESOLUTION**

**WHEREAS**, the City of Wausau recognizes that the remediation and redevelopment of brownfields is an important part of protecting Wisconsin’s resources and improving the local economy; and

**WHEREAS**, the City purchased approximately 16 acres of riverfront property for the purposes of remediation and redevelopment; and

**WHEREAS**, the City has obtained several grants for environmental remediation and redevelopment planning of the East Riverfront area; and

**WHEREAS**, the East Riverfront Brownfields Area-Wide Plan was funded by a grant from the U.S. EPA’s Brownfields Area-Wide Planning Program; and

**WHEREAS**, the plan summarizes previous planning efforts and sets the stage for moving the City forward in redeveloping this key area of the city; and

**WHEREAS**, adoption of the plan will allow the City to move forward with releasing Request For Proposals to prospective developers;

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Wausau officially adopts the East Riverfront Brownfields Area-Wide Plan, and authorizes staff to proceed with releasing Request For Proposals for redevelopment projects that are consistent with this plan.

Approved:

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James E. Tipple, Mayor

## PLAN COMMISSION

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Time and Date: The Plan Commission met on Tuesday, June 16, 2015, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

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

Others Present: Lenz, Hebert, Groat, Flashinski, Gutknecht, Lawrence, Peiffer

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

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

### **Discussion and possible action on the East Riverfront Brownfields Area-Wide Plan.**

Lenz said a draft of East Riverfront Brownfields Area-Wide Plan is in the packet. Stantec presented the plan to the Economic Development Committee. A variety of things were reviewed and environmental data were compiled. The plan rolls a lot of data into the plan and there is more planning that will need to be done after the plan is adopted. This is an outline of how to work to develop the area.

Gisselman motioned to approve the East Riverfront Brownfields Area-Wide Plan. Rosenberg seconded, and the motion carried unanimously 5-0. This item will go to Common Council on July 14, 2015.



## Memorandum

From: Brad Lenz  
To: Plan Commission  
Date: June 11, 2015  
Subject: East Riverfront Brownfields Area-Wide Plan

The City received a brownfields area-wide planning grant from the U.S. EPA in 2013. Since then, the City has been working with the consulting firm Stantec on developing a plan, in conjunction with remediation and other redevelopment activities. The brownfield plan looks at a variety of factors that set the stage for future redevelopment of the area. Upon adoption of the plan, the City will put together Request For Proposals (RFP's) to developers for redevelopment of several large parcels in the riverfront area.

At the plan commission meeting, staff will highlight key elements of the plan. The plan was presented by Stantec and City staff to the City's economic development committee, which recommended its adoption. Staff is seeking a recommendation to adopt the plan.

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

<b>RESOLUTION OF THE HUMAN RESOURCES COMMITTEE</b>	
Adopting City of Wausau Electronic Tablet Use Policy/Agreement	
Committee Action:	Approved 5-0
Fiscal Impact:	None
<b>File Number:</b>	15-0705
<b>Date Introduced:</b>	July 14, 2015

<b>FISCAL IMPACT SUMMARY</b>			
<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	<i>Included in Budget:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount</i> <span style="float: right;"><i>Annual Retirement</i></span>
	<i>TID Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

**RESOLUTION**

**WHEREAS**, your Human Resources Committee recognizes that the use of electronic tablets allows alderpersons and staff to enhance access to information necessary to make informed decisions and to achieve operational efficiencies; and

**WHEREAS**, your Human Resources Committee has reviewed the Electronic Tablet Use Policy/Agreement and recommends the adoption of the policy/agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Wausau that the Electronic Tablet Use Policy/Agreement, attached hereto and made a part hereof, is adopted and effective immediately upon action of approval by this Council.

Approved:

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

**CITY OF WAUSAU HUMAN RESOURCES COMMITTEE  
MINUTES OF OPEN SESSION**

DATE/TIME: June 8, 2015 at 4:30 p.m.  
LOCATION: City Hall (407 Grant Street) – Board Room  
MEMBERS PRESENT: R. Wagner (C), G. Gisselman, W. Nagle, D. Oberbeck, L. Rasmussen  
MEMBERS ABSENT:  
Also Present: Mayor Tipple, P. Burek, M. Hite, A. Jacobson, J. Kannenberg, G. Klein, E. Krohn, G. Seubert

**City of Wausau Electronic Tablet Use Policy/Agreement (Jacobson).**

Jacobson, Hite, and Klein met to make revisions/additions to the policy as requested. Jacobson said that credit is due to Hite for the addition of paragraph 12 to the document, and that all were in agreement to its addition. Rasmussen said that the content of paragraph 12 is what the committee had hoped to see added to the policy. Motion by Rasmussen to approve the City of Wausau Electronic Tablet Use Policy/Agreement. Second by Gisselman. Wagner thanked those involved for providing the requested updates to the policy document. All ayes. Motion passes 5-0.

# CITY OF WAUSAU ELECTRONIC TABLET USE POLICY/AGREEMENT

## Purpose

To enhance access to information necessary to make informed decisions and to achieve operational efficiencies, City of Wausau will provide Council and committee information in electronic format. City of Wausau will provide members of the City Council, and select staff members (User) electronic tablet devices (tablets) to retrieve and view this information.

## Policy/Agreement

1. Tablets are provided to Users and select staff members by the City of Wausau and are intended for City business. Personal use and applications are permitted as set forth below for the purposes of providing Users with a means to become familiar with the operations of the tablets and to encourage everyday usage. Users are permitted to use the iPad for de minimis personal use – use that is infrequent or occasional and is use that results in little or no actual cost to the City.  
  
Di minimis personal use is prohibited if done for personal gain or if such use violates a civil or criminal law.
2. Tablets provided to Users pursuant to this Policy/Agreement will only have access to the City's public Wi-Fi network and will not have access to the City's internal network. As a consequence, they are exempted from restrictions that apply to other City-owned devices.
3. Each person to whom a tablet is provided is the custodian of his own records for Wisconsin Public Record purposes. CCIT archives City email for the statutorily required seven years. Therefore it is strongly recommended that a City email account be used for all City business. A City email account has been created for each User. iPad access to a City email account will be provided during initial training. Those that conduct City business using personal email accounts are responsible for archiving those accounts as required by law.
4. The City/County Information Technology Department (CCIT) will initially load predetermined settings and applications to tablets. These will include:
  - a. Setup for Wi-Fi access using city Public Wi-Fi access.
  - b. Good Reader (or equivalent) application for reading and managing meeting agendas and packets will be installed during initial training.
  - c. Core applications such as Good Reader (or an equivalent) will be centrally managed by CCIT.
  - d. Upgrades to tablet operating systems and core applications may affect any personal information that is stored on the tablet. Applying upgrades will be the responsibility of each User.

5. Training shall be provided to Users initially and as needed or requested.
6. Each User shall/may create an iTunes account. The account may be tied to either a City email address, which is created by CCIT, or a personal email account. Information pertaining to scheduled meetings (i.e., meeting packets) will be available for download to the tablet using the Good Reader application installed by CCIT.
7. Personal use is allowed but backup is the responsibility of the individual User. Any personal information that is stored on the tablets remains subject to Public Records Law. The City of Wausau is not responsible for the loss of personal information while in the process of providing maintenance and upgrades to the tablets operating system or applications.
8. Public wireless connections should be used with caution and should not be considered secure. Extreme caution should be practiced when sending or receiving confidential or sensitive material.
9. Personal applications are allowed but must be properly licensed and managed by personal accounts. The City of Wausau will not reimburse Users for any applications that the User has personally purchased using a credit card, gift card, store card, PayPal or any other method of personal payment. CCIT will not provide support to personal applications.
10. Users may choose to use their own personal electronic devices but CCIT will not provide support. Users who choose not to accept a tablet device of any kind shall be responsible for reproducing City information themselves. All Users will be notified by email thirty days before hard copy service is discontinued.
11. The City of Wausau may, at the request of a User, send a remote wipe signal to that member's tablet if the tablet is lost, stolen or not functioning properly. This will delete all personal data and pictures and all City information.
12. If loss or damage occurs in the normal course of fulfilling the responsibilities of the position held, the City will replace the iPad at its cost. If loss or damage occurs as the result of a failure to take reasonable precautions, the City may proceed with seeking reimbursement from the User for repair or replacement or otherwise hold User accountable.

## **ACKNOWLEDGMENT**

I acknowledge that I have read and understand the City of Wausau Tablet Use Policy/Agreement and agree to follow the guidelines herein.

I understand and agree that the tablet device remains the property of the City of Wausau. At the end of my tenure, the device shall be returned to City/Marathon County CCIT within ten business days or I will be billed for the replacement cost (i.e. retail price for comparable unit).

User's Name: \_\_\_\_\_

District #: \_\_\_\_\_

Device Serial #: \_\_\_\_\_

User's Signature: \_\_\_\_\_

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

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

<b>RESOLUTION OF THE PUBLIC HEALTH &amp; SAFETY COMMITTEE</b>	
Approving or Denying Various Licenses as Indicated	
Committee Action:	Approved 5-0
Fiscal Impact:	None
<b>File Number:</b>	15-0108
<b>Date Introduced:</b>	July 14, 2015

<b>FISCAL IMPACT SUMMARY</b>			
<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	<i>Included in Budget:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>TID Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>TID Source: Increment Revenue <input type="checkbox"/> Debt <input type="checkbox"/> Funds on Hand <input type="checkbox"/> Interfund Loan <input type="checkbox"/></i>		

**RESOLUTION**

**WHEREAS**, your Public Health and Safety Committee considered certain license applications at its June 15, 2015 meeting and has made recommendations that are attached hereto in the meeting minutes and recommends these actions to the Council for its approval, now therefore

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

Approved:

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

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

June 15, 2015 Meeting

## **AGENDA ITEM**

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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. There are general & miscellaneous licenses listed for approval: other related establishment licenses: Amusement Devices, Cigarette & Tobacco, Tavern Entertainment, and Dance Hall.
2. Two Operator's Licenses have been recommended for denial: Anthony Schneider (held over from May's PH&S meeting and was pending Chief Hardel's approval/denial) and Ashley Schmidt. (See attached)
3. There are some late and lapsed renewals; included on the list for Public Transport Drivers, Public Transport Businesses, Adult Oriented, Pawn Broker/2<sup>nd</sup> Hand, and several other miscellaneous licenses.

## **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.

Toni Rayala, Clerk

Date of Report: June 9, 2015

(715) 261-6620

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, June 15, 2015 at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Barnes, Duncanson, Kujawa, Rayala, Goede

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

Rasmussen stated the Liquor License Review Subcommittee met just before this meeting and considered the license applications for a Class B Beer & Liquor license for Yer Yang for a premise located at 936 S 3<sup>rd</sup> Avenue, that she will be renovating into an upscale sports bar to be named Christine's; and a Class B Beer & Liquor license for U Paint & Party LLC, located at 2108 N 7<sup>th</sup> Street, which is a painting studio that is requesting the full license. She indicated the committee recommended unanimous approval on Christine's and U Paint & Party was approved 4-2. She questioned if the committee wanted to act on those applications tonight with the rest of the licenses or wait until next month to ask questions. Motion by Neal to add these two applications to the list for consideration tonight, seconded by Kellbach.

Rasmussen stated there were three applicants for renewal of their Operator's licenses that were recommended for denial: Ashley Schmidt, Anthony Schneider, and Rebecca Weber. She noted that none of the individuals were present to address the committee. Goede noted that there had not been enough time to notify Rebecca Weber of the denial recommendation for tonight's meeting and that her application has been pulled out of the group and will be brought back to the July meeting.

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

HEALTH AND SAFETY LIST  
ALL LICENSES  
JUNE 15, 2015REPORT ID: LRS530I  
RUN DATE: 7/08/15  
RUN TIME: 10:21:19

<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>
U PAINT & PARTY LLC 317 N 1ST ST WAUSAU, WI 54403	2015	6/01/2015	7/15/2015	6/30/2016		U PAINT AND PARTY	CLASS B BEER & LIQUOR	___	___	___	___
VANG YER 2756 HAMILTON ST OSHKOSH, WI 54901	2015	5/27/2015	7/01/2015	6/30/2016		CHRISTINE'S	CLASS B BEER & LIQUOR	___	___	___	___
WAUSAU NOON OPTIMIST PO BOX 1611 WAUSAU, WI 54402-1611	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	TEMP CLASS B RETAILER	___	___	___	___
BABCOCK, EMILY T 505 PARKWOOD CT MOSINEE, WI 54455	2015	6/01/2015		6/30/2016		VFW BURNS POST 388	OPERATOR NEW	___	___	___	___
BLOMQUIST, NATALIE Q 10625 MEADOW RIDGE ROAD WAUSAU, WI 54401	2015	5/20/2015		6/30/2016		WAUSAU AREA SOFTBALL	OPERATOR NEW	___	___	___	___
HEINDL, BENJAMIN J PO BOX 6157 WAUSAU, WI 54402	2015	5/28/2015		6/30/2016		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
JENSEN, BEN R 806 DUNBAR ST WAUSAU, WI 54401	2015	5/19/2015		6/30/2016		THE PLAZA HOTEL & SU	OPERATOR NEW	___	___	___	___
JOURDAN, MAYA L 808 MCINDOE STREET WAUSAU, WI 54403	2015	5/27/2015		6/30/2016		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
KROLOW, SUSAN I 2207 MOUNT VIEW BLVD WAUSAU, WI 54403	2015	5/27/2015		6/30/2016		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
MCGIVERN, JENNA M R18080 KONKOL ROAD HATLEY, WI 54440	2015	6/03/2015	7/01/2015	6/30/2016		CABARET	OPERATOR NEW	___	___	___	___
MEIER, TRACY L 702 S 10TH ST APT 3 WAUSAU, WI 54403	2015	5/27/2015		6/30/2016		R STORE #5	OPERATOR NEW	___	___	___	___
MORATH JR, PATRICK R 902 SPRING ST WAUSAU, WI 54403	2015	5/22/2015		6/30/2016		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
OSNESS, LOGAN D 1504 BISSELL ST WAUSAU, WI 54401	2015	6/02/2015		6/30/2016		WALGREEN'S STORE #07	OPERATOR NEW	___	___	___	___
PENROSE, DARLENE C 1206 BROOKFIELD LANE WAUSAU, WI 54401	2015	5/22/2015	7/01/2015	6/30/2016		NEW CITY GRILL/JEFFE	OPERATOR NEW	___	___	___	___

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PIRILLO, APRIL D 513 1/2 N 3RD AVE WAUSAU, WI 54401	2015	5/19/2015		6/30/2016		R-STORE #31	OPERATOR NEW	___	___	___	___
POWER, JENNIFER D 1505 BROWN ST WAUSAU, WI 54401	2015	6/08/2015		6/30/2016		DAY'S BOWL-A-DOME	OPERATOR NEW	___	___	___	___
RAJEK, KAREN E 1928 MILWAUKEE AVE WAUSAU, WI 54403	2015	5/27/2015		6/30/2016		LIL' OLE WINEMAKER S	OPERATOR NEW	___	___	___	___
SAMUELSON, ALEX P 902 1/2 S 4TH AVENUE WAUSAU, WI 54401	2015	6/04/2015		6/30/2016		THE STORE #62	OPERATOR NEW	___	___	___	___
SCHEFFLER, CASSANDRA L 783 CHERRY DRIVE ELAND, WI 54427	2015	5/26/2015		6/30/2016		SHOWTIME	OPERATOR NEW	___	___	___	___
SCHEIDER, JERON Q 200 S CHERRY AVE MARSHFIELD, WI 54449	2015	6/02/2015	7/01/2015	6/30/2016		PICK 'N SAVE #6405	OPERATOR NEW	___	___	___	___
STEFAN, PEYTON E 3007 NICK AVENUE KRONENWETTER , WI 54455	2015	5/27/2015		6/30/2016		THE PLAZA HOTEL & SU	OPERATOR NEW	___	___	___	___
STEWART, LACORTLAND S 602 E 4TH STREET MERRILL, WI 54452	2015	5/12/2015		6/30/2016		R STORE #8	OPERATOR NEW	___	___	___	___
THEISS, EMALIA S 1849 DEERWOOD TRAIL MOSINEE, WI 54455	2015	5/26/2015		6/30/2016		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
THEISS, IAN E 1849 DEERWOOD TRAIL MOSINEE, WI 54455	2015	5/26/2015		6/30/2016		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
TIPPLE, HANNAH M 7609 WALDEN BLVD WAUSAU, WI 54401	2015	5/18/2015		6/30/2016		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
TRUAX, ADRIANNA 2907 MAPLE HILL DR WAUSAU, WI 54401	2015	5/19/2015		6/30/2016		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
ZASTROW, BRITTANY C 4245 DEER TRAIL LN WAUSAU, WI 54401	2015	5/26/2015		6/30/2016		WISCONSIN WOODCHUCKS	OPERATOR NEW	___	___	___	___
SCHMIDT, ASHLEY A 1108 SUMNER ST WAUSAU, WI 54403	2015	3/26/2015	7/01/2015	6/30/2017		R STORE #6	OPERATOR RENEWAL - 2 YR	___	___	___	___

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SCHNEIDER, ANTHONY B 102 S 4TH AVE WAUSAU, WI 54401	2015	4/23/2015	7/01/2015	6/30/2017		MALARKEY'S PUB	OPERATOR RENEWAL - 2 YR	___	___	___	___
ALFSEN, JAY 2309 CTY RD Y HATLEY, WI 54440	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
BARTIG, RICHARD G 7904 WALDEN BLVD WAUSAU, WI 54401	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
BRUGGINK, MARIA 220 LISBETH RD WAUSAU, WI 54401	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
CAMPBELL, SCOTT K 1210 SYLVAN ST WAUSAU, WI 54403	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
COATES, STEVE G 2309 JEFFEREY LN SCHOFIELD, WI 54476	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
DAHLKE, DIANE M 232 S 10TH AVE WAUSAU, WI 54401	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
GEHIN, JOSEPH L 3400 SPRINGDALE AVE WAUSAU, WI 54401	2015	6/08/2015	8/04/2015	8/16/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
HEGGELUND, ANNE M E17637 HWY Z RINGLE, WI 54471	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
HEINKEL, BRAD 5707 HIGH RIDGE CIR SCHOFIELD, WI 54476	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
JOHNSON, CARL J 916 N 6TH AVE WAUSAU, WI 54401	2015	6/11/2015	6/11/2015	6/25/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
KARLEN, BRIAN 1108 8TH ST MARATHON, WI 54448	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
MIELCZNAREK, EDMOND J 5203 N 39TH AVENUE WAUSAU, WI 54403	2015	5/20/2015	8/04/2015	8/09/2015		WISCONSIN VALLEY FAI	OPERATOR TEMPORARY	___	___	___	___
PROULX, JOHN G 2357 WHITETAIL DR MOSINEE, WI 54455	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___

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SILLARS, DANIEL 2300 NUTHATCH LN WAUSAU, WI 54401	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
STASNEY, ANTHONY 108 EDWARDS ST WAUSAU, WI 54401	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
WICKERSHAM, JEFFERY 5905 MARY LANE WESTON, WI 54476	2015	6/05/2015	8/03/2015	8/10/2015		WAUSAU NOON OPTIMIST	OPERATOR TEMPORARY	___	___	___	___
DAVIS, JENNIFER 2215 N 6TH ST WAUSAU, WI 54403	2015	6/02/2015		6/30/2017		PICK 'N SAVE #6405	OPERATOR - LAPSED RENEWAL	___	___	___	___
DENFELD, POLLY A 10005 WOODLAND DR WAUSAU, WI 54401	2015	5/18/2015		6/30/2017		COP SHOPPE PUB	OPERATOR - LAPSED RENEWAL	___	___	___	___
DENFELD, TYLER J 10005 WOODLAND DR WAUSAU, WI 54401	2015	5/18/2015		6/30/2017		COP SHOPPE PUB	OPERATOR - LAPSED RENEWAL	___	___	___	___
DIEDRICK, MALORIE J 7160 ADAMS LN WAUSAU, WI 54401	2015	6/08/2015		6/30/2017		BB JACK'S	OPERATOR - LAPSED RENEWAL	___	___	___	___
DONAHUE, JOSEPH M 3902 MOUNT VIEW AVE APT 98 WESTON, WI 54476	2015	5/20/2015		6/30/2017		WALGREEN'S STORE #07	OPERATOR - LAPSED RENEWAL	___	___	___	___
EMMERICH, KRISTI M 1232 CHERRY ST WAUSAU, WI 54401	2015	5/26/2015		6/30/2017		BB JACK'S	OPERATOR - LAPSED RENEWAL	___	___	___	___
HER, JIMMY Y 3000 GOLDENROD RD WAUSAU, WI 54401	2015	6/03/2015		6/30/2017		KOHLMAN'S INC	OPERATOR - LAPSED RENEWAL	___	___	___	___
HER, PAOLEE 3000 GOLDENROD RD WAUSAU, 54401	2015	6/03/2015		6/30/2017		KOHLMAN'S INC	OPERATOR - LAPSED RENEWAL	___	___	___	___
HERSTAD, JUDY A 1424 EMTER ST WAUSAU, WI 54401	2015	5/27/2015		6/30/2017		TOBACCO OUTLET PLUS	OPERATOR - LAPSED RENEWAL	___	___	___	___
KAUFMAN, MADCHEN L 738 S 3RD AVE APT #1 WAUSAU, WI 54401	2015	6/03/2015		6/30/2017		ITS OUR CLUBHOUSE	OPERATOR - LAPSED RENEWAL	___	___	___	___

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KOTH, SHEILA R 5281 GROVE DR WAUSAU, WI 54401	2015	6/01/2015		6/30/2017		BULL FALLS BREWERY	OPERATOR - LAPSED RENEWAL	___	___	___	___
KRUEGER, CRYSTAL 712 LINCOLN AVE WAUSAU, WI 54403	2015	5/20/2015		6/30/2017		THE PLAZA HOTEL & SU	OPERATOR - LAPSED RENEWAL	___	___	___	___
LEY, SHANE L. R. 813 N 72ND AVE WAUSAU, WI 54401	2015	5/22/2015		6/30/2017		WAUSAU CURLING CENTE	OPERATOR - LAPSED RENEWAL	___	___	___	___
LOEW, TANA A 1605 E HAMILITON ST WAUSAU, WI 54403	2015	6/08/2015		6/30/2017		WAUSAU MINE COMPANY	OPERATOR - LAPSED RENEWAL	___	___	___	___
MARSCHALL, ASHLEY C 4305 E RAYBELLE DR SCHOFIELD, WI 54476	2015	5/27/2015		6/30/2017		BULL FALLS BREWERY	OPERATOR - LAPSED RENEWAL	___	___	___	___
MUMFORD, ALEX 706 KNOX ST WAUSAU, WI 54401	2015	6/02/2015		6/30/2017		PICK 'N SAVE #6405	OPERATOR - LAPSED RENEWAL	___	___	___	___
NELSON, TRACY L 1421 PEARSON ST WAUSAU, WI 54401	2015	6/05/2015		6/30/2017		CALLON STREET PUB	OPERATOR - LAPSED RENEWAL	___	___	___	___
NIEDERHAUSER, JOSI R 1414 JOSEPHINE ST WAUKESHA, WI 53186	2015	6/01/2015		6/30/2017		ITS OUR CLUBHOUSE	OPERATOR - LAPSED RENEWAL	___	___	___	___
NOWITZKE, ROBIN L 313 ALEXANDER STREET WAUSAU, WI 54401	2015	5/22/2015		6/30/2017		WHISKEY RIVER BAR &	OPERATOR - LAPSED RENEWAL	___	___	___	___
OLSON, LYNN M 914 STEWART AVENUE WAUSAU, WI 54401-1	2015	6/03/2015		6/30/2017		KOHLMAN'S INC	OPERATOR - LAPSED RENEWAL	___	___	___	___
PARSELLS, MOLLY M 2601 STRAWBERRY LN WAUSAU, WI 54401	2015	6/05/2015		6/30/2017		DAY'S BOWL-A-DOME	OPERATOR - LAPSED RENEWAL	___	___	___	___
PIPER, DENNIS R 409 N 10TH ST WAUSAU, WI 54403	2015	6/03/2015		6/30/2017		VFW BURNS POST 388	OPERATOR - LAPSED RENEWAL	___	___	___	___
PYAN, SARAH R 5109 CHADWICK ST SCHOFIELD, WI 54476	2015	6/02/2015		6/30/2017		PICK 'N SAVE #6405	OPERATOR - LAPSED RENEWAL	___	___	___	___
RASKIE, KATRINA A 206 FOUNTAIN HILLS BLVD WAUSAU, WI 54403	2015	6/03/2015		6/30/2017		WISCONSIN WOODCHUCKS	OPERATOR - LAPSED RENEWAL	___	___	___	___

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RASMUSSEN, ELIZABETH A 418 12TH ST WAUSAU, WI 54403	2015	5/29/2015		6/30/2017		TREU'S TIC TOC	OPERATOR - LAPSED RENEWAL	___	___	___	___
RAYALA, TARIN 904 PHLOX LANE WAUSAU, WI 54401	2015	5/18/2015		6/30/2017		WISCONSIN WOODCHUCKS	OPERATOR - LAPSED RENEWAL	___	___	___	___
SANCHEZ, JEREMY C 500 E THOMAS ST APT 210 WAUSAU, WI 54403	2015	6/02/2015		6/30/2017		BUFFALO WILD WINGS	OPERATOR - LAPSED RENEWAL	___	___	___	___
SCHUSTER, LYNETTE F 16111 HWY U MARATHON, WI 54448	2015	5/27/2015		6/30/2017		DOWNTOWN GROCERY.COM	OPERATOR - LAPSED RENEWAL	___	___	___	___
SCOTT, JESSICA 2318 OAKWOOD BLVD WAUSAU, WI 54403	2015	2/05/2015	7/15/2015	6/30/2017		THE GREAT DANE PUB &	OPERATOR - LAPSED RENEWAL	___	___	___	___
SLIWICKI, DAVID L 501 W WAUSAU AVE WAUSAU, WI 54401	2015	5/18/2015		6/30/2017		NORTH END PUB	OPERATOR - LAPSED RENEWAL	___	___	___	___
SMITH, CAROL E 5013 LEE AVE SCHOFIELD, WI 54476	2015	5/21/2015		6/30/2017		ALLISTER DEACON'S	OPERATOR - LAPSED RENEWAL	___	___	___	___
TESCH, DIANE F 921 S 18TH AVE WAUSAU, WI 54401	2015	6/02/2015		6/30/2017		PICK 'N SAVE #6405	OPERATOR - LAPSED RENEWAL	___	___	___	___
TORNOW, BLAINE T PO BOX 247 ELLISON BAY, WI 54210	2015	5/26/2015		6/30/2017		DOWNTOWN GROCERY.COM	OPERATOR - LAPSED RENEWAL	___	___	___	___
VANG, PANGCHEE 633 KICKBUSCH ST WAUSAU, WI 54403	2015	6/01/2015		6/30/2017		WALGREEN'S STORE #07	OPERATOR - LAPSED RENEWAL	___	___	___	___
WANTA, JAMES J 6201 STATE RD 153 HATLEY, WI 54440	2015	5/21/2015		6/30/2017		ALLISTER DEACON'S	OPERATOR - LAPSED RENEWAL	___	___	___	___
WEBER, CHRISTINE M 905 S 48TH AVENUE APT 103 WAUSAU, WI 54401	2015	5/29/2015		6/30/2017		JIM'S CORNER PUB	OPERATOR - LAPSED RENEWAL	___	___	___	___
WILDMAN, TYLER S 3814 CRYSTAL DR WAUSAU, WI 54401	2015	6/02/2015		6/30/2017		THE GLASS HAT	OPERATOR - LAPSED RENEWAL	___	___	___	___

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WITTER, ALANNA L 816 STEWART AVE WAUSAU, WI 54401	2015	5/26/2015		6/30/2017		WISCONSIN WOODCHUCKS	OPERATOR - LAPSED RENEWAL	___	___	___	___
WOLD, BROOKE L 132 N 11TH AVE WAUSAU, WI 54401	2015	5/18/2015		6/30/2017		WHISKEY RIVER BAR &	OPERATOR - LAPSED RENEWAL	___	___	___	___
XIONG, SOUAN Y 1869 DEERWOOD TRL MOSINEE, WI 54455	2015	5/20/2015		6/30/2017		WALGREEN'S STORE #07	OPERATOR - LAPSED RENEWAL	___	___	___	___
FAMILY DOLLAR STORES OF WI, IN ATTN: TAX DEPT PO BOX 1017 CHARLOTTE, NC 28201-1017	2015	6/09/2015	7/01/2015	6/30/2016		FAMILY DOLLAR STORE	CIGARETTE & TOBACCO	___	___	___	___
SWEET LOLA'S CUPCAKERY LLC 303 3RD ST WAUSAU, WI 54403	2015	5/20/2015	7/01/2015	6/30/2016		SWEET LOLA'S	SIDEWALK CAFE -NO ALCOHOL	___	___	___	___
LA PRIMA LLC 529 N 3RD ST WAUSAU, WI 54403	2015	5/26/2015	7/01/2015	6/30/2016		LA PRIMA DELI	SIDEWALK CAFE- RENEWAL	___	___	___	___
WISH STEAKHOUSE 5006 EAST JELINEK STREET WESTON, WI 54476	2015	6/10/2015	4/01/2015	3/31/2016		WISH STEAKHOUSE	MOBILE VENDOR - 1 YEAR	___	___	___	___
ZASTROW, BRITTANY C 4245 DEER TRAIL LN WAUSAU, WI 54401	2015	5/26/2015	6/16/2015	12/31/2015		BRITANNY ZASTROW	PET FANCIER PERMIT	___	___	___	___
NEW CITY GRILL, LLC 203 JEFFERSON STREET WAUSAU, WI 54403	2015	6/08/2015	7/01/2015	6/30/2016		NEW CITY GRILL/JEFFE	SIDEWALK CAFE - RENEWAL	___	___	___	___
VOGT TYLER 408 N 3RD ST STE 100 WAUSAU, WI 54403	2015	6/02/2015	7/01/2015	6/30/2016		MALARKEY'S PUB	SIDEWALK CAFE - RENEWAL	___	___	___	___
DORSHAK, DONALD M 1840 EVA RD MOSINEE, WI 54455-0754	2015	6/02/2015	7/01/2015	6/30/2016		ALL AMERICAN TAXI	PUBLIC TRANS DRIVER-RENEW	___	___	___	___
HELKE, JACQUELYN M 612 1/2 N 3RD AVE WAUSAU, WI 54401	2015	6/05/2015	7/01/2015	6/30/2016		ALL AMERICAN TAXI	PUBLIC TRANS DRIVER-RENEW	___	___	___	___
MEDDAUGH, JEREMY D 1019 JACOBY STREET SCHOFIELD, WI 54476	2015	6/03/2015	7/01/2015	6/30/2016		ALL AMERICAN TAXI	PUBLIC TRANS DRIVER-RENEW	___	___	___	___



**ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE**

Amending Section 9.04.010 State statutes adopted designating the titles of state statutory sections

Committee Action: Approved 5-0

**Ordinance Number:**

Fiscal Impact: None

**File Number:** 14-0810

**Date Introduced:** July 14, 2015

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

Add ( )

Section 1. That Section 9.04.010 State statutes adopted is hereby amended to read as follows:

9.04.010 State statutes adopted. The following state statutes are adopted by reference and incorporated herein, except for the penalty provision therein which shall be governed by section 1.01.110:

- 939.05 [Parties to crime.]
- 939.31 [Conspiracy.]
- 939.32(1) & (2) [Attempt.]
- 939.45(1), (2), (3), (4), (5), (6) [Privilege.]
- 939.47 [Necessity.]
- 939.48 [Self-defense and defense of others.]
- 939.49 (1), (2), (3) [Defense of property and protection against retail theft.]
- 939.65 [Prosecution under more than one section permitted.]
- 939.66(1), (2), (3), (4), (5) [Conviction of included crime permitted.]
- 940.19 [Battery; substantial battery; aggravated battery.]
- 941.10(1) & (2) [Negligent handling of burning material.]
- 941.13(1), (2), (3), (4) [False alarms.]
- 941.20(1)(a), (b), (c), (d), (2)(a), (3) [Endangering safety by use of dangerous weapon.]
- 943.01(1) [Damage to property.]
- 943.01(2)(a), (b), (c) [Damage to property.]
- 943.01(4) [Damage to property.]
- 943.13 [Trespass to land.]
- 943.20(1)(a), (b), (c), (d), (e), (2)(a), (b), (c), (d) [Theft.]
- 943.21(1) & (2) [Fraud on hotel or restaurant keeper, recreational attraction, taxicab operator, or gas station.]
- 943.22 [Use of cheating tokens.]
- 943.24(1), (2), & (3). [Issuance of worthless check.]
- 943.45(1), (2), (3), & (4). [Theft of telecommunications service.]
- 943.50(1)(ar), (as) & (at), (1m)(intro), (1m)(a), (1m)(b), (1m)(c), (1m)(d), (1m)(e), (1m)(f), (1m)(g), (1m)(h), (3), (3m) & (5). [Retail theft; theft of services.]
- 944.20 [Lewd and lascivious behavior.]

- 944.21 [Obscene material or performance.]
- 946.40(1) & (2) [Refusing to aid officer.]
- 946.41(1), (2) & (3). [Resisting or obstructing officer.]
- 946.69(1) & (2). [Falsely assuming to act as a public officer or employee or a utility employee.]
- 947.01 [Disorderly conduct.]
- 947.012 [Unlawful use of telephone.]
- 947.0125 [Unlawful use of computerized communications systems.]
- 947.013 [Harassment.]
- 947.02 [Vagrancy.]
- 948.45 [Contributing to truancy.]
- 951.095 [Harassment of police and fire animals.]
- 961.573(1) [Possession of drug paraphernalia.]

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



Office of the City Attorney

TEL: (715) 261-6590  
FAX: (715) 261-6808

Anne L. Jacobson  
City Attorney

Tara G. Alfonso  
Assistant City Attorney

COMMENTS ON AMENDMENT OF W.M.C. §9.04.010  
DESIGNATING TITLES OF STATE STATUTORY SECTIONS ADOPTED

- W.M.C. §9.04.010, State statutes adopted is the municipal code provision adopting numerous state law criminal violations, such as disorderly conduct, permitting these various offenses to be prosecuted in the municipal court.
- The section, while adopting these numerous state law violations, does not designate the title of the state statutory section. For ease of use, the titles of the state statutory sections would now be included in the Municipal Code.

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, June 15, 2015 at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Barnes, Duncanson, Kujawa, Rayala, Goede

### **Amend Section 9.04.010 State statutes adopted designating the titles of state statutory sections**

Alfonso explained this is another housekeeping item; the Municipal Code adopts a number of State Statutes but have never included the titles. An officer suggested to her that it would be very helpful to the police department to show the names of the statutes.

Motion by Kellbach, second by Neal to amend Section 9.04.010 designating the titles. Motion carried 5-0.

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

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

Repealing Section 9.04.100 Obscene language

Committee Action: Approved 5-0

**Ordinance Number:**

Fiscal Impact: None

**File Number:** 70-0930

**Date Introduced:** July 14, 2015

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

Section 1. That Section 9.04.100 Obscene language is hereby repealed.

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:

Approved:

Published:

Attest:

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

Attest:

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



Office of the City Attorney

TEL: (715) 261-6590  
FAX: (715) 261-6808

Anne L. Jacobson  
City Attorney

Tara G. Alfonso  
Assistant City Attorney

COMMENTS ON REPEAL OF W.M.C. §9.04.100  
OBSCENE LANGUAGE

- This ordinance likely has unconstitutional applications and implications giving consideration to the protections provided citizens under the First Amendment to the U.S. Constitution.

**PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, June 15, 2015 at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Barnes, Duncanson, Kujawa, Rayala, Goede

**Repeal of Ordinance of W.M.C. s. 9.04.100 referencing Obscene language**

**AND**

**Amend Section 1.01.025(c)(1)(B) Schedule of cash deposits**

Alfonso explained 9.04.100 was an ordinance that she noticed in our code that she felt was unconstitutional and wanted to get it off the books and 1.01.025 is in reference to the fine that goes with it.

Motion by Neal, second by Kellbach to approve the repeal 9.04.100 and the amendment of 1.01.025. Motion carried 5-0.

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

**ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE**

Amending Section 1.01.025(c)(1)(B) Schedule of cash deposits, deleting obscene language

Committee Action: Approved 5-0

**Ordinance Number:**

Fiscal Impact: None

**File Number:** 82-1252

**Date Introduced:** July 14, 2015

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

Delete (——)

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

1.01.025 Issuance of citations. . . .

(c) Schedule of cash deposits.

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

. . .

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

*Municipal Ordinance Schedule of Deposits*

<u>Ord. No.</u>	<u>Offense</u>	<u>Deposit</u>
9.04.051	Obstruction of traffic by loitering prohibited	50.00
<del>9.04.100</del>	<del>Obscene language</del>	<del>50.00</del>
9.04.135	Prostitution	2,000.00

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

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

Adopted:  
Approved:  
Published:  
Attest:

Approved:

---

James E. Tipple, Mayor

Attest:

---

Toni Rayala, Clerk

**PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, June 15, 2015 at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Barnes, Duncanson, Kujawa, Rayala, Goede

**Repeal of Ordinance of W.M.C. s. 9.04.100 referencing Obscene language**

**AND**

**Amend Section 1.01.025(c)(1)(B) Schedule of cash deposits**

Alfonso explained 9.04.100 was an ordinance that she noticed in our code that she felt was unconstitutional and wanted to get it off the books and 1.01.025 is in reference to the fine that goes with it.

Motion by Neal, second by Kellbach to approve the repeal 9.04.100 and the amendment of 1.01.025. Motion carried 5-0.

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

**CONFIRMATION OF MAYOR'S APPOINTMENTS**

to Boards, Commissions and Committees: *Plan Commission*

**File Number:** 15-0703

**Date Introduced:** July 14, 2015

**Plan Commission**

Tom Atwell (1)

915 Scott Street

3 Yr Term Exps 4/30/18

920-791-1420

\*Rplacing Phil Valitchka

- (N) Individual is filling the unexpired term of a former member
- (1) Individual is in their own 1st full term
- (#) Designates the term number appointed to

Approved:

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James E. Tipple, Mayor



Office of the Mayor

James E. Tipple

## BIOGRAPHY

July 6, 2015

### **Tom Atwell**

Commercial Banking Officer  
Nicolet National Bank  
O: 715-241-2526  
C: 920-791-1420

I am a Commercial Lender at Nicolet National Bank, where I have worked since 2012 out of our Green Bay Corporate Headquarters. Prior to that, I was an analyst for a Chicago based private equity firm.

I have degrees in History (Western), Geography (People and Environment Interaction), and Business (General) from UW-Madison. During school, I interned at the Governor's Office (external relations), the Wisconsin Dept. of Agriculture, Trade and Consumer Protection, and a Latino bank in Atlanta.

I bring an informed perspective on city design and development from my experience in Green Bay (see below) and from living and working in a number of places including Madison, Atlanta, Chicago, Milan, Italy and Auckland, New Zealand. I'm passionate about creating a liveable and dynamic downtown and attracting the next generation of talent to our city!

Green Bay Involvement: feel free to call Mayor Jim Schmitt (or his Chief of Staff Andy Rosendahl) or Jeff Mirkes of Downton Green Bay as references.

- **Brown County Community Digester Feasibility Study** – Appointed by County Supervisor Troy Streckenbach, committee attempting to find a scientific, community-based solution to the phosphorous run-off issue.
  - o On a related not, I remain involved in a grass roots effort to bring together the business community and downtown residents around this issue. We will be having a benefit concert at the Meyer Theatre in mid-August.
- **Urban Partnership Community Dev Corp.** – Board Member - This was a group formed to open a public market in the image of Milwaukee's, in conjunction with revitalizing and repurposing abandoned industrial real estate into a microgreens growing operation. We recently received a \$50K grant:  
<http://www.greenbaypressgazette.com/story/money/2015/06/30/farmory-urban-farm-project-grant/29535813/>
- **Literacy Green Bay** – Board Member – Group aimed at providing Green Bay's 40,000+ immigrant residents the English, math, and computer literacy skills to better engage the community and provide success in the workforce.
- **Einstein Project** – Board Member – Group providing hands on science kits for k-12 classrooms at reduced cost to schools all over NE WI. Formed in response to slackening



Office of the Mayor

James E. Tipple

scores in science and math and lack of engineers/scientists local corporations were recognizing.

- **Challenges and Opportunities (Bay Area Workforce Development)** – Once a quarter, I would spend a day with inmates preparing them for life after prison, ie: job interviews, resume preparation, financial discipline.
- **St. John's Homeless Shelter** – In addition to volunteering at the shelter in winter, I attempted to broker the donation of a property to be used only for homeless high school children, who are currently mixed in with “lifers” and exposed to the drugs/alcohol at the shelter. This would be key to keeping these young people off the streets downtown and keeping them on the path to graduation. The deal ultimately fell through due to funding.
- **Meyer Theatre / ArtGarage** – I was the Lender on two high profile projects in downtown Green Bay that revitalized historic real estate, was instrumental in structuring the deals. [Backstage at the Meyer](#) and [ARTgarage Expansion](#)
- **AuthentiCITY** – I provided input to the Master Plan, would have loved to be a member of the committee but it was formed before I returned to Green Bay!  
<http://greenbaywi.gov/csa/downtownmasterplan>

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

<b>RESOLUTION OF THE FINANCE COMMITTEE</b>	
AUTHORIZING THE ISSUANCE AND SALE OF \$3,930,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2015A	
Committee Action:	Pending
Fiscal Impact:	
<b>File Number:</b>	15-0608
<b>Date Introduced:</b>	July 14, 2015

<b>FISCAL IMPACT SUMMARY</b>			
<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>Included in Budget:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <i>Amount: To be determined on sale date</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount</i> <span style="float: right;"><i>Annual Retirement</i></span>
	<i>TID Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

**RESOLUTION**

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Wausau, Marathon County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of Wisconsin Department of Transportation projects, street, sidewalk, storm sewer and other concrete improvements and extensions, acquiring fire equipment and a transit hoist, and providing financial assistance to Tax Incremental District No. 8 projects, such as street improvements and utility relocation and remediation (collectively, the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, pursuant to a resolution adopted on June 10, 2015, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the general obligation promissory notes (the "Notes") to pay the cost of the Project;

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on July 14, 2015;

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Notes for public sale on July 14, 2015;

WHEREAS, the City has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1A. Ratification of the Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of THREE MILLION NINE HUNDRED THIRTY THOUSAND DOLLARS (\$3,930,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the City Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2015A"; shall be issued in the aggregate principal amount of \$3,930,000; shall be dated August 6, 2015; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on

April 1, 2016. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on April 1, 2023 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on April 1, 2022 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. [If the Proposal specifies that any of the Notes are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Notes in such manner as the City shall direct.]

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2015 through 2024 for the payments due in the years 2016 through 2025 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct

from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$3,930,000 General Obligation Promissory Notes, Series 2015A, dated August 6, 2015" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued

have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures

appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by [\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes] **OR** [the City Clerk or City Treasurer] (the "Fiscal Agent"). [The Fiscal Agency Agreement between the City and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit F and incorporated herein by this reference.]

Section 13. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the

Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 16. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Notes allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 17. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded July 14, 2015.

---

James E. Tipple  
Mayor

ATTEST:

---

Toni Rayala  
City Clerk

(SEAL)

EXHIBIT A

Notice of Sale

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT C

Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-1

Pricing Summary

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

[EXHIBIT MRP

Mandatory Redemption Provision

The Notes due on April 1, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT E

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS  
STATE OF WISCONSIN  
MARATHON COUNTY  
NO. R-\_\_\_\_ CITY OF WAUSAU \$\_\_\_\_\_  
GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2015A

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:  
April 1, \_\_\_\_\_ August 6, 2015 \_\_\_\_\_% \_\_\_\_\_

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
(\$\_\_\_\_\_)

FOR VALUE RECEIVED, the City of Wausau, Marathon County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2016 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by [\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_] **OR** [the City Clerk or City Treasurer] (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$3,930,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin

Statutes, for public purposes including paying the cost of Wisconsin Department of Transportation projects, street, sidewalk, storm sewer and other concrete improvements and extensions, acquiring fire equipment and a transit hoist, and providing financial assistance to Tax Incremental District No. 8 projects, such as street improvements and utility relocation and remediation, all as authorized by resolutions of the Common Council duly adopted by said governing body at meetings held on June 10, 2015 and July 14, 2015. Said resolutions are recorded in the official minutes of the Common Council for said dates.

The Notes maturing on April 1, 2023 and thereafter are subject to redemption prior to maturity, at the option of the City, on April 1, 2022 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

[The Notes maturing in the years \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ are subject to mandatory redemption by lot as provided in the resolution authorizing the Notes at the redemption price of par plus accrued interest to the date of redemption and without premium.]

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrevocable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

[This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.]

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Wausau, Marathon County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF WAUSAU,  
MARATHON COUNTY, WISCONSIN

By: \_\_\_\_\_  
James E. Tipple  
Mayor

(SEAL)

By: \_\_\_\_\_  
Toni Rayala  
City Clerk

[Date of Authentication: \_\_\_\_\_, 2015

CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes of the issue authorized by the within-mentioned resolution of the City of Wausau, Wisconsin.

\_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_

By \_\_\_\_\_  
Authorized Signatory ]

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

[EXHIBIT F

Fiscal Agency Agreement

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

<b>RESOLUTION OF THE FINANCE COMMITTEE</b>	
AWARDING THE SALE OF \$5,705,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2015B	
Committee Action:	Pending
Fiscal Impact:	
<b>File Number:</b>	15-0609
<b>Date Introduced:</b>	July 14, 2015

<b>FISCAL IMPACT SUMMARY</b>			
<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>Included in Budget:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <i>Amount: To be determined on sale date</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount: Annual Retirement</i>
	<i>TID Financed:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <i>Amount: \$2,645,000</i>
	<i>TID Source: Increment Revenue <input checked="" type="checkbox"/> Debt <input type="checkbox"/> Funds on Hand <input type="checkbox"/> Interfund Loan <input type="checkbox"/></i>		

**RESOLUTION**

WHEREAS, on June 10, 2015, the Common Council of the City of Wausau, Marathon County, Wisconsin (the "City") adopted initial resolutions authorizing the issuance of general obligation bonds in an amount not to exceed \$2,645,000 for the public purpose of paying the cost of providing financial assistance to community development projects under Section 66.1105, Wisconsin Statutes, in the City's Incremental District Nos. 3 and 10; and in an amount not to exceed \$3,060,000 for the public purpose of paying the cost of swimming pool projects; (collectively, the "Initial Resolutions");

WHEREAS, pursuant to the provisions of Section 67.05, Wisconsin Statutes, within 15 days following the adoption of the Initial Resolutions, the City Clerk caused a notice to electors to be published in the Wausau Daily Herald, stating the purpose and maximum principal amount of the bond issues authorized by the Initial Resolutions and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issues authorized by the Initial Resolutions;

WHEREAS, no petition for referendum was filed with the City Clerk, and the time to file such a petition has expired;

WHEREAS, on June 10, 2015, the Common Council of the City also called for the general obligation bond issues authorized by the Initial Resolutions be combined, issued and sold as a single issue of bonds designated as "General Obligation Corporate Purpose Bonds" (the "Bonds") for the purpose of paying the cost of the projects described in the Initial Resolutions (collectively, the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds;

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on July 14, 2015;

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on July 14, 2015;

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

[WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City that the Bonds be issued in the aggregate principal amount of \$5,705,000;]

WHEREAS, the Common Council now deems it to be necessary, desirable and in the best interest of the City that the Bonds be issued in the aggregate principal amount of \$\_\_\_\_\_ for the following purposes and in the following principal amounts: \$\_\_\_\_\_ providing financial assistance to community development projects under Section 66.1105, Wisconsin Statutes, in the City's Incremental District Nos. 3 and 10 and \$\_\_\_\_\_ swimming pool projects.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1A. Ratification of the Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Bonds set forth in Exhibit A

attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the City Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Corporate Purpose Bonds, Series 2015B"; shall be issued in the aggregate principal amount of \$5,705,000; shall be dated August 6, 2015; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2016. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on April 1, 2024 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on April 1, 2023 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. [If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the City shall direct.]

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and

resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2015 through 2034 for the payments due in the years 2016 through 2035 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

#### Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$5,705,000 General Obligation Corporate Purpose Bonds, Series 2015B, dated August 6, 2015" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to

reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and the ownership, management and use of the projects will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code

and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by [\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes] **OR** the City Clerk or City Treasurer] (the "Fiscal Agent"). [The Fiscal Agency Agreement between the City and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit F and incorporated herein by this reference.]

Section 13. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 16. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 17. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded July 14, 2015.

---

James E. Tipple  
Mayor

ATTEST:

---

Toni Rayala  
City Clerk

(SEAL)

EXHIBIT A

Notice of Sale

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT C

Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-1

Pricing Summary

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

[EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on April 1, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT E

(Form of Bond)

REGISTERED	UNITED STATES OF AMERICA	DOLLARS
	STATE OF WISCONSIN	
	MARATHON COUNTY	
NO. R-____	CITY OF WAUSAU	\$_____
GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2015B		

MATURITY DATE:	ORIGINAL DATE OF ISSUE:	INTEREST RATE:	CUSIP:
April 1, _____	August 6, 2015	____%	_____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
(\$\_\_\_\_\_)

FOR VALUE RECEIVED, the City of Wausau, Marathon County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2016 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by [\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_] **OR** [the City Clerk or City Treasurer] (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$5,705,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.04, Wisconsin

Statutes, for the following public purposes: \$2,645,000 for providing financial assistance to community development projects under Section 66.1105, Wisconsin Statutes, in the City's Incremental District Nos. 3 and 10; and \$3,060,000 for swimming pool projects; all as authorized by resolutions of the Common Council duly adopted by said governing body at meetings held on June 10, 2015 and July 14, 2015. Said resolutions are recorded in the official minutes of the Common Council for said dates.

The Bonds maturing on April 1, 2024 and thereafter are subject to redemption prior to maturity, at the option of the City, on April 1, 2023 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

[The Bonds maturing in the years \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ are subject to mandatory redemption by lot as provided in the resolution awarding the Bonds at the redemption price of par plus accrued interest to the date of redemption and without premium.]

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

[This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.]

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Wausau, Marathon County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF WAUSAU,  
MARATHON COUNTY, WISCONSIN

By: \_\_\_\_\_  
James E. Tipple  
Mayor

(SEAL)

By: \_\_\_\_\_  
Toni Rayala  
City Clerk

[Date of Authentication: \_\_\_\_\_, 2015

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue authorized by the within-mentioned resolution of the City of Wausau, Wisconsin.

\_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_

By \_\_\_\_\_  
Authorized Signatory ]

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

【EXHIBIT F

Fiscal Agency Agreement

(See Attached)】

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

<b>RESOLUTION OF THE FINANCE COMMITTEE</b>	
AWARDING THE SALE OF \$2,655,000 TAXABLE GENERAL OBLIGATION COMMUNITY DEVELOPMENT BONDS, SERIES 2015C	
Committee Action:	Pending
Fiscal Impact:	
<b>File Number:</b>	15-0610
<b>Date Introduced:</b>	July 14, 2015

<b>FISCAL IMPACT SUMMARY</b>			
<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>Included in Budget:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/> <i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <i>Amount</i> <span style="float:right;"><i>Annual Retirement</i></span>
	<i>TID Financed:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <i>Amount: principal and interest</i>
	<i>TID Source: Increment Revenue</i> <input checked="" type="checkbox"/>		

**RESOLUTION**

WHEREAS, on June 10, 2015, the Common Council of the City of Wausau, Marathon County, Wisconsin (the "City") adopted an initial resolution authorizing the issuance of general obligation bonds in an amount not to exceed \$2,655,000 for the public purpose of providing financial assistance to community development projects under Section 66.1105, Wisconsin Statutes, in the City's Tax Incremental District No. 3 (the "Initial Resolution");

WHEREAS, pursuant to the provisions of Section 67.05, Wisconsin Statutes, within 15 days following the adoption of the Initial Resolution, the City Clerk caused a notice to electors to be published in the Wausau Daily Herald, stating the purpose and maximum principal amount of the bond issue authorized by the Initial Resolution and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issue authorized by the Initial Resolution;

WHEREAS, no petition for referendum was filed with the City Clerk, and the time to file such a petition has expired;

WHEREAS, the Common Council of the City called for the general obligation bonds authorized by the Initial Resolution to be designated as "General Obligation Community Development Bonds" (the "Bonds") for the purpose of paying the cost of the project described in the Initial Resolution (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue the Bonds on a taxable rather than tax-exempt basis;

WHEREAS, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds;

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on July 14, 2015;

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on July 14, 2015;

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1A. Ratification of the Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted (subject to the condition that no valid petition for a referendum is filed by July 10, 2015 in connection with the resolution). The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the City Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "Taxable General Obligation Community Development Bonds, Series 2015C"; shall be issued in the aggregate principal amount of \$2,655,000; shall be dated August 6, 2015; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2016. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on April 1, 2024 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on April 1, 2023 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. [If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the City shall direct.]

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2015 through 2029 for the payments due in the years 2016 through 2030 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

#### Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$2,655,000 Taxable General Obligation Community Development Bonds, Series 2015C, dated August 6, 2015" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account.

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above)

shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 9. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by [\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes] **OR** [the City Clerk or City Treasurer] (the "Fiscal Agent"). [The Fiscal Agency Agreement between the City and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit F and incorporated herein by this reference.]

Section 10. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such

transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 11. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 13. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 14. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda to be distributed to the Purchaser.

Section 15. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure

Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 16. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 17. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 18. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded July 14, 2015.

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James E. Tipple  
Mayor

ATTEST:

---

Toni Rayala  
City Clerk

(SEAL)

EXHIBIT A

Notice of Sale

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT C

Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-1

Pricing Summary

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

[EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on April 1, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on April 1, \_\_\_\_\_

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT E

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA DOLLARS  
STATE OF WISCONSIN  
MARATHON COUNTY  
NO. R-\_\_\_\_ CITY OF WAUSAU \$\_\_\_\_\_  
TAXABLE GENERAL OBLIGATION COMMUNITY DEVELOPMENT BOND,  
SERIES 2015C

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:  
April 1, \_\_\_\_\_ August 6, 2015 \_\_\_\_\_% \_\_\_\_\_

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
(\$\_\_\_\_\_)

FOR VALUE RECEIVED, the City of Wausau, Marathon County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2016 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by [\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_] **OR** [the City Clerk or City Treasurer] (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$2,655,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the purpose of paying the cost of providing financial assistance to community development projects under Section 66.1105, Wisconsin Statutes, in the City's Tax Incremental District No. 3, all as authorized by resolutions of the Common Council duly adopted by said governing body at meetings held on June 10, 2015 and July 14, 2015. Said resolutions are recorded in the official minutes of the Common Council for said dates.

The Bonds maturing on April 1, 2024 and thereafter are subject to redemption prior to maturity, at the option of the City, on April 1, 2023 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

【The Bonds maturing in the years \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ are subject to mandatory redemption by lot as provided in the resolution awarding the Bonds at the redemption price of par plus accrued interest to the date of redemption and without premium.】

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrevocable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

[This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.]

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Wausau, Marathon County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF WAUSAU,  
MARATHON COUNTY, WISCONSIN

By: \_\_\_\_\_

James E. Tipple  
Mayor

(SEAL)

By: \_\_\_\_\_

Toni Rayala  
City Clerk

[Date of Authentication: \_\_\_\_\_, 2015

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue authorized by the within-mentioned resolution of the City of Wausau, Wisconsin.

\_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_

By \_\_\_\_\_  
Authorized Signatory ]

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

[EXHIBIT F

Fiscal Agency Agreement

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

<b>RESOLUTION OF THE FINANCE COMMITTEE</b>	
Modifying the Procurement Policy	
Committee Action:	Approved 5-0
Fiscal Impact:	None
<b>File Number:</b>	99-1104
<b>Date Introduced:</b>	July 14, 2015

<b>FISCAL IMPACT SUMMARY</b>			
<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	<i>Included in Budget:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount</i> <span style="float: right;"><i>Annual Retirement</i></span>
	<i>TID Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

**RESOLUTION**

**WHEREAS**, the Finance Committee has considered and recommends the attached revisions of the procurement policy which incorporate the following changes:

The following purchases are exempt from competitive purchasing requirements and sole source documentation:

**Marathon County Landfill**

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

Approved:

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



**TO: FINANCE COMMITTEE MEMBERS**

**FROM: MARYANNE GROAT**

**DATE: June 11, 2015**

**SUBJECT: Procurement Policy**

Background Information

We would like to add services provided by Marathon County Landfill as purchases exempt from competitive purchasing requirements and sole source documentation.

Sole Source Exemptions: The following purchases are exempt from competitive purchasing requirements and sole source documentation:

1. Software maintenance and support services when procured from the proprietary owner of the software.
2. Original equipment manufacturer maintenance service contracts, and parts purchases when procured directly from the original manufacturer/authorized dealer or representative.
3. Insurance policy purchases and services through CVMIC and TMIC of Wisconsin
4. Property Insurance purchases from the Local Property Insurance Fund.
5. Utility Services and Charges.
6. Marathon County Landfill

# CITY OF WAUSAU, WISCONSIN

## PROCUREMENT POLICY

### POLICY OBJECTIVE

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

### COVERAGE

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

### GOALS

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

### ETHICAL STANDARDS

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

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

### **GENERAL GUIDELINES**

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

1. Procurements are classified into the following two major categories:
  - Purchasing Goods is defined as equipment, furnishings, supplies, materials and vehicles or other rolling stock. The rental, leasing of these items is also considered to fall within this category and the cost shall be determined by considering the maximum total expenditure over the term of the agreement.
  - Purchase of Services is classified into additional categories of professional services, contractor services, construction services and combined goods and service contracts.
2. Buy Local - It is the desire of the City to purchase locally when possible. This can be accomplished by ensuring that local vendors who have goods or services available are included in the competitive solicitation process that will precede major purchases. It is also the desire of the City to purchase from disadvantaged enterprise businesses whenever possible as defined by Wisconsin Statute 84.06(1).
3. Cooperative Procurement Programs – Departments are encouraged to use cooperative purchasing programs sponsored by the State of Wisconsin or other jurisdictions. Purchases of goods and services secured through these programs are considered to have met the requirements of competitive procurement outlined in this policy. Additionally, if identical products can be obtained at a lower price than current cooperative purchasing contracts, no additional quotes are required.
4. Purchasing Oversight – Department heads have the responsibility for procurement issues in their individual departments. A department head is defined as the City employee having responsibility for the department on behalf of which moneys were appropriated in the City budget for purchases.
5. Emergencies – When an emergency situation does not permit the use of the competitive process outlined in the policy, the applicable department head, Finance Director and Mayor may determine the procurement methodology most appropriate to the situation. Appropriate documentation of the basis for the emergency should be maintained and filed with the City Clerk. All emergency purchases exceeding \$50,000 shall require the Department Head to provide written notice to the Common Council.
6. Identical Quotes or Bids – If two or more qualified bids/quotes are for the same total amount or unit price, and quality or service is considered equal the contract shall be awarded to the local bidder. Where this is not practical the contract will be awarded by drawing lots in public.
7. Serial Contracting – No contract or purchase shall be subdivided to avoid the requirements of this policy. Serial contracting is the practice of issuing multiple purchase order to the same vendor for the same good or service in any 90 day period in order to avoid the requirements of the procurement policy.
8. Purchase Orders and Purchase Order Cover Sheet – Shall be issued for all purchases of goods and services in excess of \$5,000.
9. Policy Review – This policy will be reviewed by the Finance Committee every two years or sooner at the discretion of the Common Council.
10. Protest Procedures – Any interested party who wishes to protest at any point in the procurement process, evaluation, award, or post-award, may do so. An “interested party” must, however, be an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract. Protests must be submitted timely, in writing to the City Clerk, 407 Grant Street, Wausau WI 54403 but no later than five (5) working days following the City's procurement decision. The protest must contain a detailed statement of the grounds for the protest and any supporting documentation. Upon the receipt

of the written protest, the City Clerk will notify the City Attorney and Finance Director who will work to resolve the matter within five (5) working days. If the protester is not satisfied and indicates the intention to appeal to the next step the award will be temporarily suspended unless it is determined that: 1)the item to be procured is urgently required; 2) delivery or performance will be unduly delayed by failure to make the award promptly; 3) Failure to make the prompt award will otherwise cause harm to the City; or 4) The protest has no merit. If the protester wishes to appeal the decision of the City Attorney and Finance Director the matter will be forwarded to the City of Wausau Finance Committee and the Common Council for the ultimate local disposition.

### **PURCHASE OF GOODS**

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

## **PURCHASE OF SERVICES**

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

- Contractor services is defined as the furnishing of labor, time or effort by a contractor, usually not involving the delivery of specific goods or products other than those that are the end result of and incidental to the required performance. Examples of contractor service include: refuse and recycling collection, snow removal, EMS billing services, janitorial, elevator maintenance, mailing, or delivery services. Contractor services shall follow the competitive procurement policy for the Purchase of Goods subject to the same spending guidelines. The cost shall be determined by considering the maximum total expenditure over the term of the contract.
- Construction services is defined as substantial repair, remodeling, enhancement construction or other changes to any City owned land, building or infrastructure. Procedures found with in State of Wisconsin Statute 62.15 and Wausau Municipal Code 12.08 shall take precedence. In absence of guidance in these areas, construction services shall follow the competitive procurement policy for the Purchase of Goods subject to the same spending guidelines.
- Combined Goods and Services in situations where the purchase combines goods and services (exclusive of construction and contractor services), such as many technology projects, the purchase shall be treated as a purchase of professional services.
- Professional services is defined as consulting and expert services provided by a company, organization or individual. Examples of professional services include: attorneys, certified public accountants, appraiser, financial and economic advisors, engineers, architect, planning and design. Professional services are generally measured by the professional competence and expertise of the provider rather than cost alone.
  - a) If it is estimated that the service being solicited has a total cost of over \$25,000 a formal Request for Proposal shall be used to solicit vendor responses. The department head shall be responsible for the preparation of all Requests for Proposal specifications, notices and advertising. Prequalification of proposers may be done at the discretion of the department head. A formal RFP will not be required to solicit legal services for representation in a specific matter, regardless of cost. The City Attorney will consult with the Finance Committee if it is anticipated that expenses (fees and costs) in excess of \$25,000 for a single matter will be incurred. When retention of legal services to perform ongoing services in one type of matter, such as bond counsel or prosecution services, is required, the procurement policy, for professional services shall be followed.
  - b) The Purpose of an RFP is to solicit proposals with specific information on the proposer and the service offered which will allow the City to select the best proposal. The best proposal is not necessarily the proposal with the lowest cost.
  - c) Based upon the services or project and the magnitude of the outcome a selection committee may be advisable.
  - d) Requests for proposals shall be formally noticed. All notices and solicitations of proposals shall state the time and place of the proposal opening.
  - e) Information to be requested of the proposer should include: Years of experience in the area desired services, financial strength of the company, examples of similar services/projects completed, resumes of staff associated with the project/service, list of references, insurance information, In addition the proposal should provide information about the City, scope of services requested and desired outcomes or deliverables. The proposal should also identify evaluation factors and relative importance.
  - f) Establish selection criteria and include this information with the RFP. It is generally advisable to establish a numeric ranking matrix. This reduces the subjective nature of the rating process.

- g) Proposals should be solicited from an adequate number of qualified sources. Requests for proposal should be formally noticed. All notices and solicitations should provide the issue date, response due date, date and time of opening responses and a contact person.
  - h) Proposals shall be opened and recorded by the Board of Public Works. A tabulation of proposals received shall be available for public inspection. All proposal documentation shall be placed on file with the City Clerk. The Department Head and selection committee (if applicable) will then review the proposals and make a selection.
- Service contracts or agreements should be reviewed by the City Attorney and placed on file with the City Clerk.

### **SOLE SOURCE**

Sole source purchasing allows for the procurement of goods and services from a single source without soliciting quotes or bids from multiple sources. Sole source procurement cannot be used to avoid competition, rather it is used in certain situations when it can be documented that a vendor or contractor holds a unique set of skills or expertise, that the services are highly specialized or unique in character or when alternate products are unavailable or unsuitable from any other source. Sole source purchasing should be avoided unless it is clearly necessary and justifiable. The justification must withstand public and legislative scrutiny. In advance of the purchase, the Department Head is responsible for providing written documentation justifying the valid reason to purchase from one source or that only one source is available. Sole source purchasing criteria include: urgency due to public safety, serious injury financial or other, other unusual and compelling reasons, goods or service is available from only one source and no other good or service will satisfy the City's requirements, legal services provided by an attorney, lack of acceptable bids or quotes, an alternate product or manufacturer would not be compatible with current products resulting in additional operating or maintenance costs, standardization of a specific product or manufacturer will result in a more efficient or economical operation, aesthetic purposes or compatibility is an overriding consideration, the purchase is from another governmental body, continuity achieved in a phased project, the supplier or service demonstrates a unique capability not found elsewhere, economical to the city on the basis of time and money of proposal development.

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

Sole Source Exemptions: The following purchases are exempt from competitive purchasing requirements and sole source documentation:

1. Software maintenance and support services when procured from the proprietary owner of the software.
2. Original equipment manufacturer maintenance service contracts, and parts purchases when procured directly from the original manufacturer/authorized dealer or representative.
3. Insurance policy purchases and services through CVMIC and TMIC of Wisconsin
4. Property Insurance purchases from the Local Property Insurance Fund.
5. Utility Services and Charges.
- 5-6. [Marathon County Landfill](#)

### **BUDGET**

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

### **CONTRACT AUTHORIZATION**

The Mayor is authorized to enter into contracts on behalf of the City of Wausau without additional council approval if the contracts meet the following criteria:

1. Purchase of Goods – The City may purchase equipment, furnishings, goods, supplies materials and rolling stock when the costs of the same have been included in the approved City Budget.
2. Purchase of Services – The City may contract for the purchase of services without Council resolution when the following conditions have been met:
  - a) The funds for services are included in the approved City budget.

- b) The procurement for services complies with the procurement policy.
  - c) The City Attorney has reviewed and approved the form of the contract.
  - d) The contract complies with other laws, resolutions and ordinances.
  - e) The contract term meets one of the following criteria:
    - 1. The contract is for a period of one year or less, or
    - 2. The contract is for a specific project, or
    - 3. The contract is for a period of not more than three years and the annual average cost of the services does not exceed \$25,000.
3. The following contracts require council approval:
- (a) Collective Bargaining Agreements – Any contract between the City of Wausau and any collective bargaining unit representing City employees.
  - (b) Real Estate Purchases – Contracts for the sale or purchase of real estate where the City of Wausau is the proposed seller or purchaser. Council approval is **not** required for commencement of foreclosure action to collect a loan or other debt owed to the City when the debtor has failed to cure any default in payment of the loan or other obligation.
  - (c) Leases – Contracts for lease of real estate where the City is either a proposed landlord or a proposed tenant exclusive of airport hangar, parking stall rentals and short term park facilities rentals.
  - (d) Easements and Land Use Restrictions – Contracts for easements, restrictive covenants or other limitations which may be placed upon the use of any City-owned property.
  - (e) Intergovernmental Contracts in excess of \$5,000 – Contracts between the City of Wausau and other local, state or federal governments or agencies except, cooperative purchasing agreements.
  - (f) Development Agreements – Contracts for the provision of infrastructure, financial assistance or other incentives by the City for the benefit of a developer or business venture.
  - (g) City Services – Contracts whereby the City of Wausau agrees to provide services to another party.
  - (h) Managed competition, outsourcing contracts – Contracts for labor or personal services to be performed by persons who are not city employees for work that has been performed by city employees within the past five (5) years and the contract will result in the elimination of positions and the layoff of personnel.
4. The common council delegates contract approval to the department level for the following:
- (a) Community Development Housing and Commercial Development Loans and Grants issued from grants and related program income.

Contracts shall be signed by the Mayor and counter-signed by the City Clerk, City Finance Director and City Attorney. The City Finance Director shall certify that funds have been provided by the Council to pay the liability that may be incurred under the contract. The City Attorney shall approve the contract as to form and the City Clerk shall attest to the Mayor's signature. Contract change orders may be signed by the Board of Public Works as long as the change order does not materially change the work performed and funds are available within the budget. Purchase contracts for goods or services valued at \$5,000 or less may be signed by individual department directors as long as the purchase is provided in the budget.

H:\fwcommon\financialpolicies\procurementpolicy.wpd

**RESOLUTION OF THE FINANCE COMMITTEE**

Authorizing Human Resources to designate Associated Financial Group (AFG) as the agent of record for employee insurance benefit consulting and brokerage.

Committee Action: Pending

Fiscal Impact: Savings of \$14,000 per year. In 2014 the City paid a 6% commission fee(\$60,000) and negotiated this down to 5.5% in 2015 (\$52,000) thereby saving between \$6,000-\$14,000+ per year, with a new Commission rate set at 5%

**File Number:** 15-0706

**Date Introduced:** July 14, 2015

**WHEREAS**, the City of Wausau provides health, dental and pharmacy benefits to over 300 subscribers and nearly 1,000 total plan members, and

**WHEREAS**, a broker/consultant will add value and expertise in the area of preparing bid specifications, negotiating with providers, preparing plan benefit design and analysis, regulatory compliance and program implementation administration within pertinent statutory guidelines, and

**WHEREAS**, due diligence has been taken to solicit formal Request(s) for Proposals for broker/consultant quotes; and

**WHEREAS**, fiscal prudence has been exercised by evaluating proposals received with economic competitiveness exhibited between eight (8) responding vendors; and

**WHEREAS**, the Associated Financial Group (AFG) has been selected due to scope of services to be provided, price competitiveness, expertise and record of success with other government agencies;

**WHEREAS** compensation will be received by way of vendor commissions at a rate of five percent (5%) at a price estimated to be approximately \$46,500 per year with current rate, which is consistent with industry standard commissions;

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Wausau that the Human Resources Director be authorized to designate Associated Financial Group (AFG) as agents of record for insurance brokerage and consulting, with a Commission fee of 5.0%.

Approved:

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



## Memorandum

**From:** Myla D. Hite, Human Resources Director  
**To:** Finance Committee  
**Date:** July 8, 2015  
**Subject:** Authorization to Designate Agent/Broker of Record for Employee Insurance Benefits

Purpose: To obtain approval to designate Associated Financial Group Agent/Broker of Record.

Background: The former agent of record, The Horton Group, was initially retained as a consultant in 2012.

In an effort to contain costs, on September 8, 2014 the Human Resources Committee approved \$10,000 to participate in the exploration of joining in partnership with the North Central Wisconsin Public Employer Health Insurance Consortium, comprised of a coalition between Marathon County, North Central Health Care, Wausau School District and DC Everest School District.

After conducting a preliminary feasibility study, it became apparent that to retain the same level of benefits would likely result in a 21.4% cost increase representing approximately one-million four-hundred seventy five thousand and eighty-six dollars (\$1,475,086.00). Based upon this preliminary data, staff recommended the pursuit of other cost containment measures and the Human Resources Committee approved an RFP solicitation on May 11, 2015.

Eight vendors submitted proposals, as follows: AFG, Benefits, Inc, BSG, Cottingham & Butler, The Horton Group, M-3, Spectrum and Willis. Under the supervision of the HR Director, 3 evaluators (2 from HR Department 1 from Finance Department) reviewed the following criteria (see attached chart):

- Understanding of the work required;
- Qualifications of the Company
- Scope of Services
- Ability to work with and relationship with carriers
- Cost

While cost was not the only factor considered, the recommended vendor proposed the lowest fee.

Resource Impact: Savings of approximately \$14,000 per year. In 2014 the City paid a 6% commission fee (\$60,000) and negotiated this down to 5.5% in 2015 (\$52,000) thereby saving between \$6,000- \$14,000+ per year, with a new Commission rate set at 5%

Encls

## Request for Proposal for Health Insurance Agent/Broker

	Possible Points	AFG	Benefits Inc	BSG	Cottingham & Butler	Horton	M-3	Spectrum	Willis
Understanding of the Work required	200	170	13.33	116.67	93.33	146.67	133.33	83.33	126.67
Qualifications of the Company	150	126.67	56.67	83.33	88.33	105	91.67	60	91.67
Scope of Services	200	168.9	62.23	102.23	104.45	113.34	106.68	68.89	120.01
Ability to work with /relationship with access to health insurance carriers	<u>150</u>	<u>120</u>	<u>10</u>	<u>45</u>	<u>72.5</u>	<u>90</u>	<u>92.5</u>	<u>40</u>	<u>75</u>
RFP Evaluation Subtotals	700	585.57	142.23	347.23	358.61	455.01	424.18	252.23	413.35
Costs		\$46,500	Standard Commission	\$70,350	N/A 24 Month Guarantee	\$48,000	\$8.00 PCEM +Net Commissions + 6% overall revenue	Standard Commission	\$54,000

### Additional Cost Information from Proposals:

While cost was not the only consideration, the recommended Broker/Consultant represented the lowest fee. Other factors rated are provided in the chart.

AFG: Proposal costs are inclusive at a 5% commission rate. At current costs, equates to approximately \$46,500

Benefits, Inc: Proposal referenced “standard commission” (can range from 3%-8%) instead of providing a finite percentage fee. Unable to evaluate.

BSG: Proposal provided a flat fee with a built in yearly 3% increase after 2 years with additional pharmaceutical fees of .55 cents per member per year.

Cottingham and Butler: Provided a 24 month fee guarantee and failed to provide a fee breakdown. Referenced typical compensation as a “fee based retainer agreement and/or commissions paid by various insurance companies and vendors”. Unable to evaluate.

Horton: Flat rate of \$48,000. In 2014 received a 6% (\$60,000) commission from insurance vendors and in 2015 agreed to charge 5.5% commission which the proposal quoted at \$48,000 for 2015, however, through June the City has already paid \$26,272 – at this rate 2015 would cost \$52,544.

M-3: Consultant fee of \$8.00 per covered employee/per month with carrier commissions of 6% of overall revenues.

Spectrum: Proposal referenced a standard commission (can range from 3%-8%). Unable to evaluate.

Willis: Flat fee.

**CITY OF WAUSAU HUMAN RESOURCES COMMITTEE**

**MINUTES OF OPEN SESSION**

DATE/TIME: September 8, 2014 at 4:30 p.m.  
LOCATION: City Hall (407 Grant Street) – Board Room  
MEMBERS PRESENT: R. Wagner (C), G. Gisselman, W. Nagle, D. Oberbeck, L. Rasmussen  
MEMBERS ABSENT:  
Also Present: Mayor Tipple, P. Burek, J. Coleman, J. Hardel, M. Hite, J. Kannenberg, G. Klein, E. Krohn, A. Lippert, J. Schara, G. Seubert, T. Pagryzinski

**North Central Health Care Consortium (Hite).**

Hite explained how the City recently became self-insured, and in order to leverage purchasing power, help reduce costs and provide consistent benefits, five entities including the City, Marathon County, Wausau School District, DC Everest School District and North Central Health Care are proposing to come together and issue a request for proposal for a consultant to come in and look at ways to leverage purchasing power. Rasmussen asked for an estimate on the cost of the RFP; Hite said the cost will be no more than \$10,000 per organization, and is likely to be closer to \$8000 per organization. This money is available from the insurance fund. **Motion by Rasmussen to direct Hite to continue with the North Central Health Care Consortium, second by Gisselman.**

**CITY OF WAUSAU HUMAN RESOURCES COMMITTEE**

**MINUTES OF OPEN SESSION**

DATE/TIME: May 11, 2015 at 4:30 p.m.  
LOCATION: City Hall (407 Grant Street) – Board Room  
MEMBERS PRESENT: R. Wagner (C), G. Gisselman, D. Oberbeck, L. Rasmussen  
MEMBERS ABSENT: W. Nagle  
Also Present: Mayor Tipple, M. Groat, M. Hite, A. Jacobson, J. Kannenberg, G. Klein, E. Krohn, T. Kujawa, Nora Hertel (WDH), Pat Peckham (City Pages)

**Discussion and Possible Action on the North Central Wisconsin Public Employer Health Insurance Consortium.**

Hite gave an overview to the committee of the discussion last September to explore the possibility of participating in the North Central WI Public Employer Health Insurance Consortium. In the September meeting, Hite was given authority to spend up to \$10,000 for this process. To date, Wausau has spent \$5,500 as a participant. Hite explained that further exploration is needed by the consortium that would cost the City \$7,000 for a needed RFP, \$16,000 for a complete pharmacy benefits audit, and an on-going charge of \$3.50 per employee per month for charges through BSG. Hite presented two options to the committee: continue with the consortium and be approved for additional costs, or have staff explore options on their own and discontinue participation in the consortium. **Motion made by Rasmussen directing Hite to pursue 2016 options for budget as a stand-alone provider, and to have Hite construct an RFP for a new broker.** Second by Oberbeck. Further discussion took place regarding the pro's and con's of joining a consortium. Oberbeck believes that a smaller group will be able to make more changes. Rasmussen agreed, saying that the bigger you get, the harder it is to make changes. **Motion passes 4-0.**

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

**RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE**

Approving an extension to the construction time window of the original Development Agreement between the City of Wausau and Linetec Inc. (a division of Apogee Wausau Group, Inc.) to finance facility and equipment expansion located at 7500 Stewart Avenue approved 9/9/2014.

Committee Action:      Approved 4-0

Fiscal Impact:          None

**File Number:**          14-0910

**Date Introduced:**      July 14, 2015

**FISCAL IMPACT SUMMARY**

<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
	<i>Included in Budget:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
	<i>One-time Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>			

**WHEREAS**, Linetec, Inc. (a division of Apogee Wausau Group, Inc.) has constructed a 125,000 square foot addition to facilitate a third anodizing line. The expansion is resulting in the financial investment of \$5 million in plant expansion and \$10 million in the acquisition of manufacturing equipment; and

**WHEREAS**, this expansion has driven the current expansion of another 114,000 square feet to the painting and warehousing facility and has increased employment and production at the facility; and

**WHEREAS**, the existing signed Development Agreement in Item #6 denotes a timeline for the completion of the relocation of a sewer main to be no later than July 31<sup>st</sup>, 2015.

**WHEREAS**, the weather and construction staging issues have complicated the completion of the sewer main relocation by this deadline, and that extending the construction window would allow the contractor ample time to complete the work without any impact to the City.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Wausau allows the extension of the completion deadline for the required sewer main relocation as noted in the September 9, 2014 Development Agreement from July 31<sup>st</sup>, 2015 to December 31<sup>st</sup>, 2015.

Approved:

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James E. Tipple, Mayor

## ECONOMIC DEVELOPMENT COMMITTEE

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Time and Place: The Economic Development Committee met on Monday, June 22, 2015 at 4:30 p.m. in the 2<sup>nd</sup> floor Board Room at City Hall, 407 Grant Street, Wausau

ED Members Present: Bill Nagle (C), David Nutting, Tom Neal (VC) and Lisa Rasmussen

Others Present: Mayor Jim Tipple, Ann Werth, MaryAnne Groat, Chris Schock, Travis Lepinski, Gary Gisselman, Brad Lenz, Kristen Fish, Karen Kellbach, Dave Sether and Bill Greenwood

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

### **CALL TO ORDER**

Nagle noted there was a quorum and called the meeting to order at approximately 4:30 p.m.

### **DISCUSSION AND POSSIBLE ACTION ON THE REQUESTED DEVELOPMENT AGREEMENT PROVISION EXTENSION FOR THE LINETEC SEWER CONSTRUCTION PROJECT**

Schock explained that Linetec would like an extension till the end of the year to complete the sewer extension. This spring has been wet making it difficult for the contractor to complete it by July 31.

Neal motioned to grant the extension. Nutting seconded and the motion carried unanimously 4-0.

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

<b>JOINT RESOLUTION OF THE ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES</b>	
Approving the proposed redevelopment project at 828 South Third Avenue (Wausau World Market, LLC)	
Committee Action:	ED: Approved 5-0 Finance: Approved 5-0
Fiscal Impact:	\$100,000 repayable loan and \$25,000 forgivable loan from TIF #6
<b>File Number:</b>	15-0709
<b>Date Introduced:</b>	July 14, 2015

<b>FISCAL IMPACT SUMMARY</b>			
<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	<i>Included in Budget:</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	<i>One-time Costs:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	<i>TID Financed:</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	<i>TID Source: Increment Revenue <input type="checkbox"/> Debt <input type="checkbox"/> Funds on Hand <input type="checkbox"/> Interfund Loan <input type="checkbox"/></i>		

**RESOLUTION**

**WHEREAS**, Chungsou Her desires to acquire and renovate 828 S. 3<sup>rd</sup> Avenue and 821 S. 5<sup>th</sup> Avenue to develop it into Wausau World Market – a year round market place; and

**WHEREAS**, pursuant to the provisions of Section 66.1105, Wis. Stats., CITY created Tax Incremental District # 6 on 5/11/2005 as shown in the City of Wausau Tax Incremental District Six Project Plan ("TIF Project Plan"), which TIF Project Plan provides in part for the financing of certain public works and infrastructure and related aesthetics and contributions to the Development Project relating to the TIF District; and

**WHEREAS**, Wausau World Market will provide entrepreneurial opportunities for up to 25 small business operators as well as increase the economic benefits to the City of Wausau and to the region in terms of rehabilitating a blighted property, and in turn, providing a year-round market place for all nationalities to sell and promote their wares; and

**WHEREAS**, The City of Wausau agrees to lend \$100,000 from TIF #6 to assist with the renovations of 828 S. 3<sup>rd</sup> Avenue to turn this property into a market-place facility that will include 25 individual stalls, a vender display area, and two kitchens which will be made available for rent. This loan will be amortized and repaid over a 15-year period with monthly payments deferred until two months after the project has received its occupancy permit – allowing time for the tenants to move in and begin operation; and

**WHEREAS**, The City of Wausau agrees to provide a \$25,000 forgivable loan from TIF #6. These funds will also go towards the renovation of the project with the agreement that \$5,000 will be forgiven every year that Wausau World Market complies with the Development Agreement terms, which at a minimum, will state that Wausau World Market will stay in business, provides entrepreneurial opportunities to as least 51% of his tenants who qualify under HUD's low- to moderate-income bracket, and stay current on their real estate tax bill; and

**WHEREAS**, Wausau World Market agrees to report to the City of Wausau, annually, for five years to document such requirements;

**WHEREAS**, CITY desires the Development Project to proceed for the reasons set forth above and ultimately to provide increased tax revenues for CITY and various taxing bodies authorized to levy taxes within the TIF District and CITY; and

**NOW THEREFORE BE IT RESOLVED**, that the Common Council of the City of Wausau directs the proper City officials and staff to finalize and execute said Development Agreement; and

**BE IT FURTHER RESOLVED**, that the Common Council of the City of Wausau directs city staff to monitor and report back in a reasonable time to the Finance and Economic Development Committees the progress of the project and as the terms of the Agreement become satisfied; and

**BE IT FURTHER RESOLVED**, that the Finance Director and proper City official are hereby authorized to modify the budget for Tax Increment District Number Six Fund and publish the budget modification in the official newspaper as required.

REVENUE:		
144-344398230	DEBT PROCEEDS	\$125,000
EXPENSE:		
144-344397200	DEVELOPER AGREEMENT PAYMENTS	\$125,000

**BE IT RESOLVED**, that the City Clerk mail a copy of the executed development agreement to the Joint Review Board Members.

Approved:

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James E. Tipple, Mayor

**FINANCE COMMITTEE**

Date and Time: Wednesday, June 10, 2015 @ 5:30 pm., Board Room  
Members Present: Kellbach (VC), Nagle, Oberbeck, Nutting, Mielke  
Others Present: Groat, Jacobson, Giese, Hebert, Lindman, Tipple, Neal

**Discussion and Possible Action on the Potential Redevelopment Project for the property at 828 S. Third Avenue (Wausau World Market)**

Stratz introduced ChengSou Her, Mai Her and Noah Her as investors intending to purchase the property and rehabilitate it to house the new Wausau World Market. Stratz stated Abby Bank is the major financier of this redevelopment project and we are also looking to the Hmong Chamber of Commerce. She indicated they were looking for TID #6 to be the gap financier. They requested \$100,000 – 15 year loan at the current interest rate and \$25,000 forgivable loan - \$5000 forgiven each year for 5 years – provided that the business meets the goals agreed upon in the development agreement. Stratz indicated that payments will be deferred until the project is complete, then the payments will be monthly for 15 years.

Motion by Nagle, second by Mielke to approve the potential redevelopment project as outlined in the staff memo. (*on file in the clerk's office*). Motion carried 5-0.

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

**ORDINANCE OF THE PLAN COMMISSION**

Rezoning 624 Washington Street from R4, General Residence District, to B2, Community Service District.

Committee Action: Approved 5-0

Fiscal Impact: None.

**File Number:** 15-0707

**Date Introduced:** July 14, 2015

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

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

*Stewart Parcher & Manson Addition, Lot 6, Block 13, MORE COMMONLY KNOWN AS 624 WASHINGTON STREET*

**now comprising a part of R4, General Residence District, according to the Zoning Ordinance of the City of Wausau is hereby rezoned to B2, Community Service District.**

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

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

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

Adopted:  
Approved:  
Published:  
Attest:

Approved:

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

Attest:

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

## PLAN COMMISSION

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Time and Date: The Plan Commission met on Tuesday, June 16, 2015, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

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

Others Present: Lenz, Hebert, Groat, Flashinski, Gutknecht, Lawrence, Peiffer

### **PUBLIC HEARING: Discussion and possible action on rezoning 624 Washington Street from R4, General Residence District to B2, Community Service District. (REI Engineering Inc.)**

Lindman said he received a call from REI Engineering and it was stated they would not be able to appear for the public hearing.

Lindman closed the public hearing.

Lenz said that the change is being requested for the Red Eye parking lot. There were some handouts that were provided at the beginning of the meeting. One was a letter of support from a property owner across the street from the parcel. There are plans to convert the lot into a parking lot. In the current zoning, a parking lot is allowed, but the new zoning would allow for some additional parking spaces. A letter from the DNR was also handed out as supplemental information for the record. B2 zoning is located across the street and behind the alley and there seems to be a trend toward commercial zoning in the area.

Rosenberg motioned to rezone 624 Washington Street from R4, General Residence District to B2, Community Service District. Oberbeck seconded and the motion carried unanimously 5-0. This item will go to Common Council on July 14, 2015.



## **STAFF REPORT**

TO: City of Wausau Plan Commission  
FROM: Brad Lenz, City Planner  
DATE: June 10, 2015

### **GENERAL INFORMATION**

**APPLICANT:** Brett Danke, Red Eye Holdings, LLC

**LOCATION:** 624 Washington Street

**EXISTING ZONING:** R4, General Residence District

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

**PURPOSE:** To construct a parking lot for customers of Red Eye Brewing Company located directly west of the subject parcel. Parking lots are permitted in the existing R4 District, but a zoning change to B2 is being sought to maximize the number of off-street spaces that can be built in the new lot.

**EXISTING LAND USE:** Vacant (former duplex home)

**SIZE OF PARCEL:** 0.16 acres

**SURROUNDING ZONING AND LAND USE:**

North: B2, Community Service District; Office and multi-family homes  
South: B2; Assorted commercial  
East: R4, General Residence District; Single-family home  
West: B3, General Commercial District; Bar/lounge

See attached Zoning Map

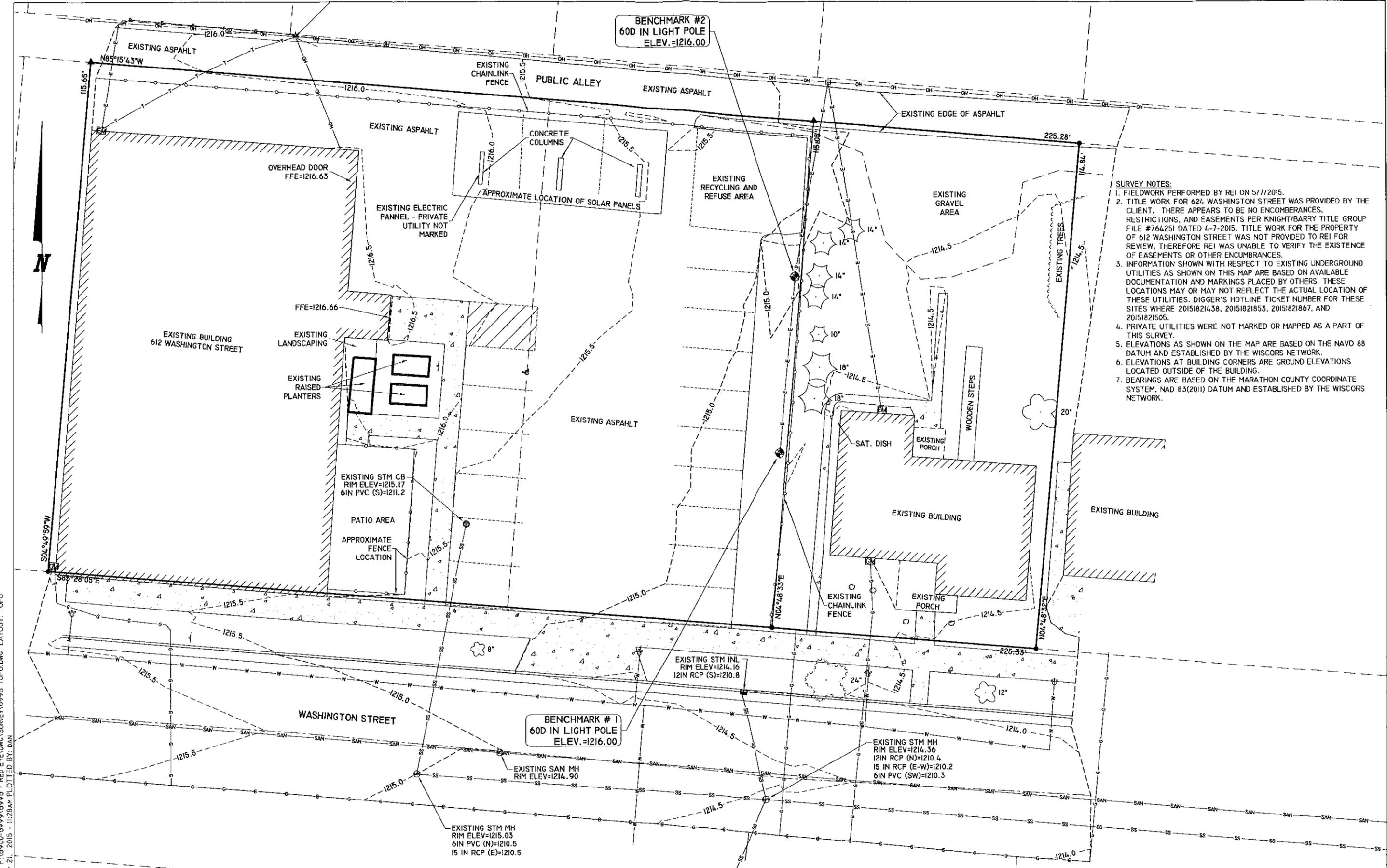
## ANALYSIS

Per Wausau Municipal Code 23.78.060, the plan commission shall make zoning change recommendations based upon the evidence presented in each of the following matters where applicable:

- (a) Existing use of property within the general area of the property in question and the effect the proposed rezoning is likely to have on these land uses;*
- (b) The compatibility of the land uses which would be permitted by the zone change with the existing or planned land uses within the general area of the property in question;*
- (c) The zoning classification of property within the general area of the property in question;*
- (d) The suitability of the property in question to the uses permitted under the existing zoning classification;*
- (e) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification;*
- (f) Whether the proposed zone change is generally consistent with the goals, objectives and policies identified in the City of Wausau Comprehensive Plan*
- (g) The nature and extent of the input received at the public hearing regarding the proposed zone change;*
- (h) The precedence, if any, that approval of the requested zoning could have on similar requests made elsewhere in the city; and*
- (i) If the property was recently annexed, the zoning classification of the property prior to annexation.*

Commercial zoning is adjacent to the subject parcel on three sides. The small residentially-zoned parcel directly to the east is the only remaining residential parcel on this block of Washington Street. This block has historically been a mix of commercially and residentially zoned properties, with land uses being similarly mixed. Some parcels on the block have changed over the years from residential to commercial, as would be the case with the proposed rezoning. The current pattern in the immediate area, in essence, shows 7<sup>th</sup> Street as a divider between predominantly residential land uses to the east, and more commercial uses to the west.

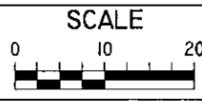
Staff recommends approval of the zoning change. The petitioners will need to obtain a parking lot permit through the Division of Inspection and Zoning to ensure that proper setbacks and design standards will be followed.



- SURVEY NOTES:**
1. FIELDWORK PERFORMED BY REI ON 5/7/2015.
  2. TITLE WORK FOR 624 WASHINGTON STREET WAS PROVIDED BY THE CLIENT. THERE APPEARS TO BE NO ENCUMBRANCES, RESTRICTIONS, AND EASEMENTS PER KNIGHT/BARRY TITLE GROUP FILE #764251 DATED 4-7-2015. TITLE WORK FOR THE PROPERTY OF 612 WASHINGTON STREET WAS NOT PROVIDED TO REI FOR REVIEW, THEREFORE REI WAS UNABLE TO VERIFY THE EXISTENCE OF EASEMENTS OR OTHER ENCUMBRANCES.
  3. INFORMATION SHOWN WITH RESPECT TO EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS MAP ARE BASED ON AVAILABLE DOCUMENTATION AND MARKINGS PLACED BY OTHERS. THESE LOCATIONS MAY OR MAY NOT REFLECT THE ACTUAL LOCATION OF THESE UTILITIES. DIGGER'S HOTLINE TICKET NUMBER FOR THESE SITES WHERE 20151821438, 20151821853, 20151821867, AND 20151821505.
  4. PRIVATE UTILITIES WERE NOT MARKED OR MAPPED AS A PART OF THIS SURVEY.
  5. ELEVATIONS AS SHOWN ON THE MAP ARE BASED ON THE NAVD 88 DATUM AND ESTABLISHED BY THE WISCORS NETWORK.
  6. ELEVATIONS AT BUILDING CORNERS ARE GROUND ELEVATIONS LOCATED OUTSIDE OF THE BUILDING.
  7. BEARINGS ARE BASED ON THE MARATHON COUNTY COORDINATE SYSTEM, NAD 83(2011) DATUM AND ESTABLISHED BY THE WISCORS NETWORK.

DRAWING FILE: P:\1600-6999\6996 - RED EYE\DWG\SURVEY\6996 TOPO.DWG LAYOUT: TOPO PLOTTED: MAY 21, 2015 - 11:28AM PLOTTED BY: DAN

**REI Engineering, Inc.**  
 4080 N. 20TH AVENUE  
 WAUSAU, WISCONSIN 54401  
 PHONE: 715.675.9784 FAX: 715.675.4060  
 EMAIL: MAIL@REIENGINEERING.COM



DATE	REVISION	BY	CHK'D

DESIGNED BY:	CHECKED BY: AJB
SURVEYED BY: AJB, JLR	APPROVED BY: JWP
DRAWN BY: JWP	DATE: 5-8-2015

**TOPOGRAPHIC SURVEY**  
 RED EYE BREWING COMPANY  
 612 WASHINGTON STREET  
 WAUSAU, WISCONSIN 54403

**REI**  
 REI No. 6996  
 SHEET TOPO

## Melissa Engen

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**From:** Brad Lenz  
**Sent:** Thursday, June 04, 2015 11:25 AM  
**To:** Melissa Engen  
**Subject:** FW: Zoning request change 624 Washington Street

Please place in the plan commission file...

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**From:** Bruce Bartell [<mailto:bruce@prestobsc.com>]  
**Sent:** Thursday, June 04, 2015 11:04 AM  
**To:** Brad Lenz  
**Subject:** Zoning request change 624 Washington Street

Good Morning Brad

We received a notice today for the zoning change request hearing for 624 Washington Street. We are property owners for both 607 and 619 Washington Street, and we fully support the requested change from R4 General Residence District to a B2 Community Service District for the property mentioned.

We support Red Eye Brewing Company's plans to add additional parking for his business, alleviating some of the on street parking issues which can be significant when city buses travel westward toward the bus depot area.

Thank you very much for your time and consideration.

Bruce N. Bartell

Bruce Bartell | [bruce@prestoprints.com](mailto:bruce@prestoprints.com)

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State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
910 Hwy 54 East  
Black River Falls WI 54615

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



June 5, 2015

Mayor James Tipple  
Wausau Planning Committee  
407 Grant Street  
Wausau, WI 54403

Subject: Red Eye Brewery

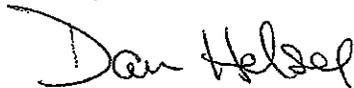
Dear Mayor Tipple and Members of the Wausau Plan Commission:

As the primary single point of contact for the Red Eye Brewing Company participation in the State's Green Tier Program, I'm pleased to respond to Brett Danke's request to let you know that the Red Eye Brewery is considered in full compliance with our Green Tier Program requirements.

Green Tier encourages companies to go beyond compliance in their environmental efforts while supporting their work to develop innovative business solutions. The Red Eye Brewing Company was accepted into the Green Tier Program nearly two years ago in July of 2013. The company set forth a goal of "superior environmental performance" through implementation of an extensive list of environmental sustainability efforts (see enclosed attachment). As the Red Eye Brewing Company expands and enhances their business performance, the company is asked to evaluate operational and mechanical alternatives that continue to meet the high standards for environmental performance. The Department is available to review those business expansions for the brewing company to ensure continued compliance with the high standards of the Green Tier Program.

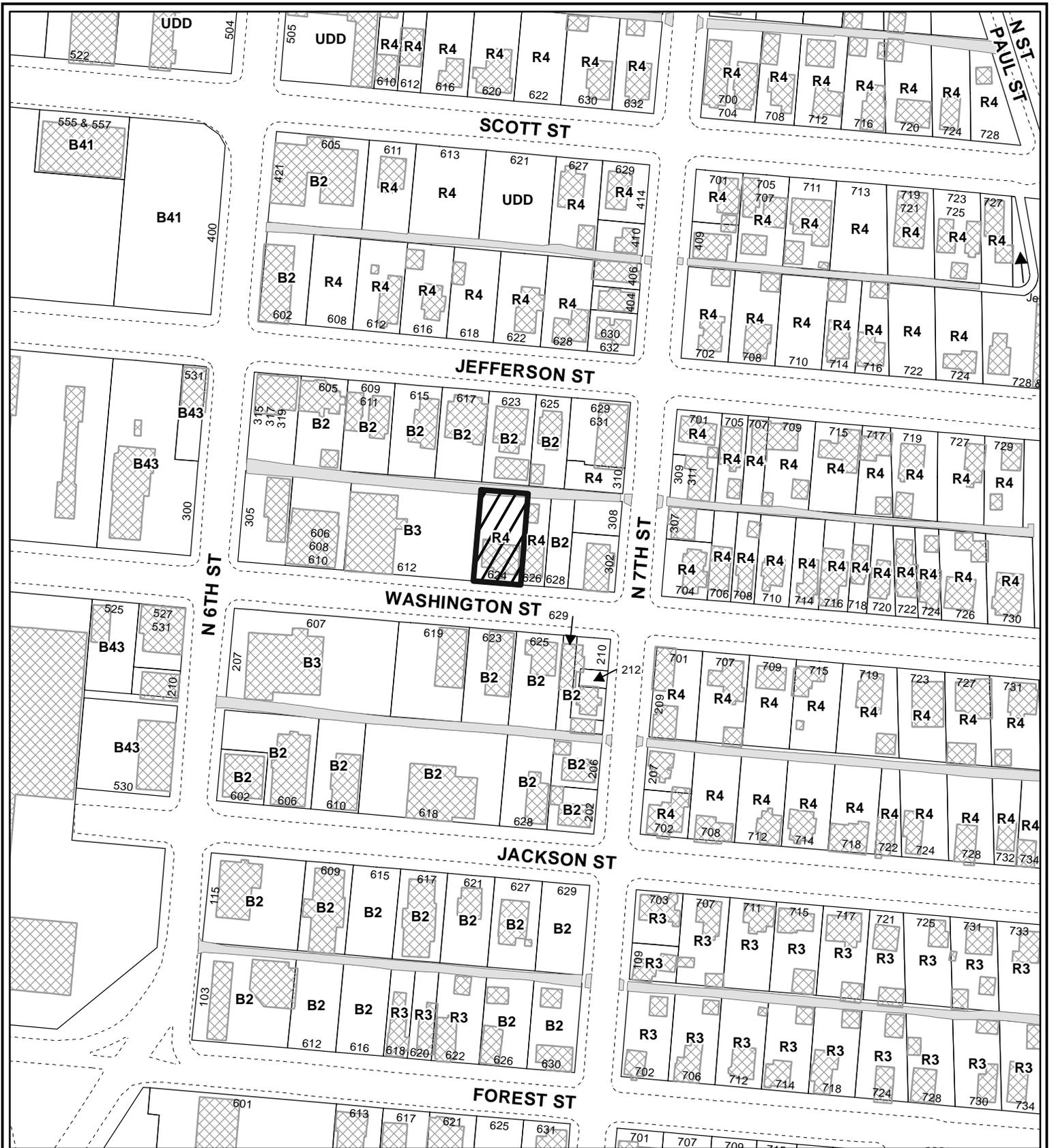
If you have any questions, please contact me and feel free to learn more about the Green Tier Program from our webpage at <http://dnr.wi.gov/topic/GreenTier/Overview.html>.

Best Regards,



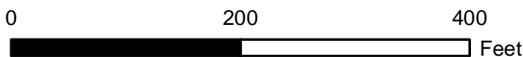
Dan Helsel, Waterleader  
Water District West

c: Brett Danke, Red Eye Brewing  
Gregg Breese, DNR Envir. Assist. Coor/OB7



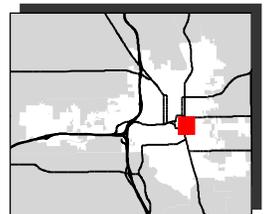
Map Date: June 3, 2015

City of Wausau  
Marathon County Wisconsin



-  Building
-  Area of Interest

Map Location



**ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE**

Creating Section 8.08.05 Feral cat caregiver and TNR program requirements

Committee Action: Approved 5-0

**Ordinance Number:**

Fiscal Impact: None

**File Number:** 15-0606

**Date (Referred Back):** June 10, 2015

**Date Re-Introduced:** July 14, 2015

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

Section 1. That Section 8.08.05 Feral cat caregiver and TNR program requirements, is hereby created to read as follows:

8.08.05. Feral cat caregiver and TNR program requirements. (a) Definitions. For purposes of this section, the following definitions shall apply:

- (1) “Authorized TNR program” means a TNR program directed and operated by the Community Cat Action Team, provided it remains a non-profit animal rescue or welfare group and qualifies as an exempt organization under section 501(c)(3) of the Internal Revenue Code and has as at least one of its purposes, the rescue and placement of cats which cannot be kept or placed by public animal control agencies or humane shelters.
- (2) “Caregiver” means any person trained and designated by an authorized TNR program as a caregiver, who in accordance with a good faith effort to trap, neuter, vaccinate and return a feral or stray cat to a feral cat colony, provides food, water or shelter to or otherwise cares for a feral or stray cat.
- (3) “Ear-tipped” means a straight line cut of the tip of the ear on a cat, typically the left ear, performed by a licensed veterinarian when a cat is under anesthesia and identifies a cat as sterilized.
- (4) “Feral cat” means a cat that is wild, untamed, or unsocialized.
- (5) “Feral cat colony” means a group of cats that congregates, more or less, together as a unit. Although not every cat in a colony may be feral, any nonferal or free-roaming cats that congregate with a colony shall be deemed to be a part of it.

(6) “Free-roaming cat” means a cat that is regularly off the property of the owner and is not under the physical control or restraint of the owner.

(7) “Pilot area” means that portion of the City bounded by east side of Third Avenue, the west side of Sixth Avenues, the north side of Stewart Avenue and the north side of Spruce Street.

(8) “Stray cat” means a cat that is socialized to humans and does not have an owner.

(9) “TNR” means a trap, neuter and return program pursuant to which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies, ear tipped and returned to the original location where they live.

(b) Feral cat colonies shall be permitted within the pilot area only, and caregivers shall be entitled to maintain such colonies in such pilot area upon strict compliance with the terms and conditions of this section.

(1) Registration of the feral cat colony with the authorized TNR program.

(2) Taking reasonable steps to obtain the vaccination of the colony population for rabies and making reasonable efforts to update the vaccinations on cats that can be recaptured.

(3) Taking reasonable steps to result in the spay/neuter, by a licensed veterinarian, of the colony population.

(4) Taking reasonable steps to find permanent, inside homes for colony cats that exhibit the potential for acclimating to such a placement.

(5) Providing adequate containment and disposal of excrement. Caregivers shall be subject to the provisions of section 8.08.220 notwithstanding any provision of section 8.08.001(f).

(6) Taking reasonable steps to prevent feral colony cats from creating a nuisance on adjacent properties.

(7) In the event that kittens are born to a colony cat, the caregiver shall take reasonable steps likely to result in the removal of the kittens from the feral cat colony after they have been weaned, and obtain placement of the kittens in homes, foster homes or animal rescue facilities.

(8) Immediately report to the City Animal Control Officer any cat that appears to be ill, diseased, or to have been exposed to potentially suffering from rabies. Caregivers shall be subject to the provisions of section 8.08.240 notwithstanding any provision of section 8.08.001(f).

(c) The authorized TNR program shall comply with the provisions of this subsection.

- (1) Review and approve caregivers.
- (2) Help to resolve complaints over the conduct of a feral cat colony caregiver or of cats within a colony.
- (3) Provide the City Animal Control Officer on an annual basis, or upon other reasonable request, with information relating to the authorized TNR program including number of cats and kittens spayed and neutered, number of cats and kittens placed in permanent homes, a list of the names and addresses of approved caregivers, and the number of colonies and number of cats in each feral cat colony.
- (4) Maintain liability insurance for all activities, actions and work performed under in connection with the authorized TNR program with a minimum combined single limit in an amount not less than \$1 million dollars of liability per occurrence for bodily injury and property damage and furnish the City with a Certificate of Insurance naming the City, its employees, agents, representatives, and elected and appointed officials as additional insureds. The policy of insurance shall state that coverage shall not be cancelled by the insurer in less than thirty (30) days after the insured and the City have received written notice of such cancellation

(d) It shall be an affirmative defense to prosecution under sections 8.08.030, Dognapping and catnapping; 8.08.120, Number of dogs and cats limited; 8.08.170, Licenses; and, 8.08.190, Animals not to run at large, that the animal is a feral or stray cat provided care by a caregiver in the pilot area through the authorized TNR program.

(e) The authorization of this program and ordinance and designation of the authorized TNR program shall expire on July 1, 2018, unless reauthorized by the common council.

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

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

Adopted:  
Approved:  
Published:  
Attest:

Approved:

---

James E. Tipple, Mayor

Attest:

---

Toni Rayala, Clerk

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, May 18, 2015, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Hardel, Kujawa, Groat, Rayala, Goede, Deb Ryan, Milton Giese, Lindsey Lewitzky, Elizabeth Field, Vernon Sugimoto, Amy Frolick, Matt Paulsen, Amie Leanoff.

### **Ordinance Creating Section 8.08.05 Feral cat caregiver and TNR program requirements.**

Rasmussen stated some representatives of the Community Cat Action Team (CCAT) program would like to work with our Humane Officer to try Trap Neuter Return in a targeted trial area where there is known to be a presence of feral cats.

Alfonso stated that rather than make changes to all the references to owner of an animal in the Municipal Code, she proposed a separate feral cat TNR ordinance as well as a change to the definition of owner. This way if the program does not continue it would be easy to put the code back the way it was and if it does continue we can add to it if necessary. She explained a person who is helping out or giving care to a colony or feral or stray cats can do it provided they are a part of an authorized TNR program. For purposes of this ordinance, the CCAT will be the authorized TNR program. It would have to remain a non-profit animal rescue or welfare group; qualify as an exempt organization; and have as one of its purposes the rescue and placement of cats that cannot be kept or placed by a humane society type of organization. A caregiver has to be trained and designated by the authorized TNR program as a person to do this. This is an attempt to distinguish people who want to have 30 cats from people who are participating in a TNR program. She noted this is just for the particular target test area.

Deb Ryan, 702 Elm St, commented that she felt representatives of CCAT should speak to her neighborhood group and provide information of the precise pilot area.

Motion by Neal, second by Wagner to approve the ordinance as presented and contingent upon delineation of the pilot area. Motion carried 5-0.



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Office of the City Attorney

TEL: (715) 261-6590  
FAX: (715) 261-6808

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Anne L. Jacobson  
City Attorney

Tara G. Alfonso  
Assistant City Attorney

**COMMENTS REGARDING PROPOSED  
ORDINANCE TO ENABLE IMPLEMENTATION OF  
TRAP, NEUTER, RELEASE PROGRAM FOR FERAL AND STRAY CATS  
BY CITIZEN VOLUNTEER GROUP**

- The City of Wausau has been requested to consider allowing a pilot trap, neuter, release program. In order to do so, certain changes are needed to chapter 8 of the Wausau Municipal Code that governs the care and control of animals.
- The draft ordinance sets up parameters for caregivers of feral and stray cats in a pilot area to give care to such animals without being held in violation of certain ordinance provisions such as sections 8.080.030, Dognapping and catnapping; 8.08.120, Number of dogs and cats limited; 8.08.170, Licenses; and, 8.08.190, Animals not to run at large. It is unclear at the time of drafting this ordinance, the exact parameters of the pilot area, and that area would need to be more clearly identified.
- The pilot area is proposed as that portion of the City bounded by east side of Third Avenue, the west side of Sixth Avenues, the north side of Stewart Avenue and the north side of Spruce Street.
- The draft ordinance also seeks to ensure individuals who are caregivers of feral and stray cats under an “authorized TNR program” operated by a local organization known as Community Cat Action Team (CCAT) are distinguishable from individuals who may simply desire to own numerous cats.
- In speaking with the Humane Society of Marathon County Humane, Inc., (HSMC) the CCAT will apparently not be sponsored by or operated under the auspices of its organization.
- In the event a feral or stray cat was to be delivered to the HSMC by the CCAT, there is no provision in the draft ordinance that would authorize or obligate the City to pay for such surrender or delivery of the animal to the HSMC. However, the City would still be obligated to pay for animals delivered to the HSMC by animal control and/or the police department.
- Since the City will be relieving caregivers of feral and stray cats under an authorized TNR program from liability under certain municipal ordinances, the proposed ordinance seeks to define the responsibilities of caregivers and the authorized TNR program in managing colonies of feral cats in an effort, to the extent possible, minimize inconvenience and nuisance to the surrounding community area.
- It is unclear as to how a TNR program will distinguish between a cat that has an owner but is perhaps “at large” or “free-roaming,” from a stray cat without an owner but is socialized to humans. Liability potentially exists (although the amount and extent is unclear) to an individual who would vaccinate and neuter the cat of another without the permission of that owner.

- The draft ordinance provides that the CCAT must acquire liability insurance and name the City and its employees, agents, representatives and elected and appointed officials as additional insureds.
- In the event the City approves changes to ordinances, it is also strongly recommended that the City condition its approval upon CCAT providing the City with an indemnification and release in the following form through a separate document:

CCAT shall defend, indemnify and hold harmless City, its employees, agents, and elected and appointed officials from and against all liabilities, losses, judgments, actions, suits, obligations, debts, demands, damages, penalties, claims, costs, charges and expenses, including reasonable attorneys' fees, of any kind or of any nature whatsoever which may be imposed, incurred, sustained or asserted against the City, its employees, agents, and/or elected or appointed officials by reason of any injury or death to any person, or loss, damage, or destruction of any property or loss of use thereof, or otherwise arising directly or indirectly as a result of the acts or omissions of CCAT, its agents, employees, or volunteers under its trap, neuter, release program within the City of Wausau.

CCAT hereby releases the City, its employees, agents, and elected and appointed officials from and against all liabilities, losses, judgments, actions, suits, obligations, debts, demands, damages, penalties, claims, costs, charges and expenses, including reasonable attorneys' fees, which may arise as a result of the acts or omissions of CCAT, its agents, employees, or volunteers under its trap, neuter, release program within the City of Wausau.

- As a pilot program, the draft ordinance proposes that the TNR program be reauthorized by the Common Council prior to July 1, 2018, or it shall expire.

**ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE**

Amending Section 8.08.001 Definitions adding “Domesticated cat or dog” and amending “owner.”

Committee Action: Approved 5-0

**Ordinance Number:**

Fiscal Impact: None

**File Number:** 92-0627

**Date (Referred Back):** June 10, 2015

**Date Re-Introduced** July 14, 2015

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

Add ( )

Delete (—)

Section 1. That Section 8.08.001 Definitions, is hereby amended to read as follows:

8.08.001 Definitions.

...

(d) “Domesticated cat or dog” means a cat or dog that is socialized to humans and is appropriate as a companion for humans.

(d)(e) “Farm animal/poultry” means any warmblooded animal/fowl . . .

(e)(f) “Owner” means any individual, partnership or corporation that has the right of property in an animal or who keeps, harbors, cares for, acts as its custodian, or who knowingly permits an animal to remain on or about his/premises/property for five or more consecutive days. For purposes of this chapter, any individual located within the pilot area as defined in section 8.08.05(7), designated in writing by a City authorized TNR program, who acts as a caregiver for a feral or stray cat that has been ear tipped as part of a TNR program shall not be deemed to be an owner of such feral or stray cat; provided however, that such individual complies with the provisions of Section 8.08.05 and provides a copy of the written designation to appropriate City officials upon request.

(f)(g) “Pet” means and animal kept for pleasure rather than utility, which may/may not be susceptible to rabies.

(g)(h) “Temporary foster care” means the care of a dog or cat by a person residing in a single or two family dwelling unit for 6 months or less and where such animal has been placed in the care of such person by a non-profit animal rescue, shelter, or welfare group qualifying as an exempt organization under section 501(c)(3) of the Internal Revenue Code.

(h)(i) “Unprovoked bite” means not stimulated to produce an angry or vexed reaction.

(i)(j) “U.S.D.A. approved rabies vaccine” means rabies vaccine for dogs, cats, horses, cows or sheep only.

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

**PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, May 18, 2015, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Hardel, Kujawa, Groat, Rayala, Goede, Deb Ryan, Milton Giese, Lindsey Lewitzky, Elizabeth Field, Vernon Sugimoto, Amy Frolick, Matt Paulsen, Amie Leanoff.

**Ordinance Amending Section 8.08.001 Definitions adding (e) “Domesticated cat or dog” and (f) amending “owner.”**

Rasmussen indicated this ordinance is related to the previous to amend the definitions.

Motion by Neal, second by Wagner to approve the ordinance amendment. Motion carried 5-0.

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

**JOINT RESOLUTION OF THE PLAN COMMISSION, ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES**

Approving the Project Plan Amendment of Tax Increment District Number Five (TID #5) Amendment #4

Committee Action:            Plan: Approved 3-2  
    ED: Approved 4-1  
    Finance: Approved 4-1

Fiscal Impact:                The project plan is not an expenditure commitment and does not establish a legal budget. Total Project Costs are \$6,900,000

<b>File Number:</b> 97-0404	<b>Date Introduced:</b> June 22, 2015 – Adopted 7-4 <b>June 24, 2015 Vetoed by Mayor</b>
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**FISCAL IMPACT SUMMARY**

<b>COSTS</b>	<i>Budget Neutral</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
	<i>Included in Budget:</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Amount: \$6,500,000</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Amount:</i>
<b>SOURCE</b>	<i>Fee Financed:</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<i>Amount:</i>
	<i>Debt Financed:</i> 5 Year Issue	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Amount \$6,500,000    Annual Retirement \$1,379,030</i>
	<i>TID Financed:</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input checked="" type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

**WHEREAS**, the City of Wausau has followed a policy of promoting business, community amenities, and industrial development activities and improving infrastructure within the City; and

**WHEREAS**, the City has endeavored to eliminate blight, remediate polluted property and redevelop the downtown riverfront for commercial, entertainment, residential and recreational uses; and

**WHEREAS**, the City’s Economic Development strategy focuses on the attraction, retention and sustainability of business, community amenities, and industrial development activities and improving infrastructure to increase the property tax base and add new jobs; and

**WHEREAS**, on June 16, 2015 the Plan Commission held a public hearing on approving the Tax Increment District Number Five Project Plan Amendment #4 to allow for the additional project costs to assist with the construction of the new Wausau Chemical facility and related financing costs; and

**WHEREAS**, prior to publication of the public hearing notice, a copy of said notice was sent via certified mail to the Superintendent of the Wausau School District, the President of Northcentral Technical College, and the Marathon County Administrator; and

**WHEREAS**, the Plan Commission adopted Amendment #4 of Project Plan for the Tax Incremental District Number Five; and

**WHEREAS**, the Finance Committee and Economic Development Committee have reviewed the plan amendment and concur with the summary of findings as required by Wisconsin Statute 66.1105(4m)(c) including:

- That development projected to occur would not occur or would not occur in the manner, at the values, or within the timeframe desired by the City without the plan amendment,
- That the economic benefits of amending the district, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements,
- That the benefits of the plan outweigh the anticipated tax increments to be paid by the property owners in the overlying taxing jurisdictions.
- That the District remains an Industrial District and that not less than 50% by area of the district was suitable for industrial sites.
- That improvements of the area is likely to significantly enhance all other real property's value in the district.
- The project costs of the district relate directly to promoting industrial development.
- The equalized value of the district's taxable property plus the value increment of all existing districts does not exceed 12% of the City's total equalized value of taxable property.
- That the real property within the district is found suitable for industrial sites and will remain zoned industrial during the life of the district.
- The project plan conforms with the City's master plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Wausau, under the powers granted by the authority of the Tax Increment Law that the Project Plan Amendment #4 for Tax Increment District Number Five is approved, as follows:

1. That the improvement of the area included in Tax Incremental District Number Five is likely to enhance the value of real property in the district over time;
2. That the project costs in the project plan amendment directly serve to promote development consistent with the purpose for which the district was created;
3. That the appropriate City officials shall provide the Joint Review Board with the information needed to prepare findings relative to approving the project plan amendment; and
4. That the City Clerk, City Treasurer, and City Assessor shall complete and submit the necessary forms to the Wisconsin Department of Revenue as may be required by that agency to formally approve the plan amendment of Tax Incremental District Number Five.

Approved:

**Vetoed – June 24, 2015**

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James E. Tipple, Mayor



## VETO OF COUNCIL ACTION 97-0404 June 24, 2015

I hereby veto the action of the Common Council designated as File No. 97-0404, adopted by a 7-4 vote, on June 22, 2015, to approve the Project Plan Amendment of Tax Increment District Number Five (TID #5) Amendment #4, as recommended by a Joint Resolution of the Plan Commission, Economic Development and Finance Committees.

Pursuant to Council Rule 7 E., Wausau Municipal Code 2.16.010, my reasons for rejecting this proposal are as follows:

- Immediately following the passage of the foregoing referenced Resolution, the Common Council defeated on a vote of 5-6, another Joint Resolution of the Economic Development and Finance Committees, authorizing the execution of a development agreement between the City of Wausau and AJR Properties North, LLC (d/b/a/ Wausau Chemical), for the construction of an industrial facility, conveyance of properties, related financing and budget modification.
- There is now scheduled for Monday, June 29, 2015, a meeting of the Joint Review Board to consider, among other things, discussion and possible action regarding a Resolution of the Joint Review Board approving the Project Plan Amendment Number Four of Tax Increment District Number Five.
- However, the Project Plan Amendment #4 is proposed for the express purpose of allowing for additional project costs to assist with the construction of the new Wausau Chemical facility and related financing costs, which was defeated.
- Therefore, to cancel the meeting of the Joint Review Board to consider the approval of project costs for a development which was defeated by Council, requires my veto, and provides clear direction to staff.

This Veto shall be placed on file with the Clerk and the Clerk shall place this vetoed measure on the agenda of the next regularly scheduled meeting for council override consideration by two-thirds' vote of all its members, on July 14, 2015.

A handwritten signature in black ink that reads "James E. Tipple". The signature is written in a cursive style.

Dated: June 24, 2015

