

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: August 20, 2015, at 6:30 p.m. in the Council Chambers of City Hall.

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

Also Present: Lindman, Jacobson, Lenz, Wesolowski

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 6:30 p.m. Chairperson Rasmussen called the meeting to order.

CONSENT AGENDA

- A. Approve minutes of the July 9, 2015 meeting.**
- B. Approve Final Resolutions to levy special assessments for 2015 Street Construction Projects**
- C. Approve Easement from Pine Grove Cemetery for access to the snow dump**
- D. Approve Easement from Pine Grove Cemetery for placement of a water service**

Mielke moved to approve the consent agenda items. Kellbach seconded and the motion carried unanimously 5-0.

Update on the current status of Talon Lane and possible action thereon

Rasmussen explained that the parties involved have appeared several times to discuss the item. There has been a volume of correspondence exchanged. Having conferred with legal staff on this matter, limited updated comments can be given; however, there is no subdivision plat, no development pending that needs supportive infrastructure at this stage, and the installation of this road to support any such plan has not been identified by the City in its three year projections. It seems that the best action for this committee to take is none. Jacobson added that it is up to the committee members if they want to address the official city map at this time without a planned development.

Paul Schindwein, President of the Dudley Tower and residing at 2305 North 33rd Street, spoke to correct an item on the record. He has not refused to dedicate his property with respect to the extension of Talon Lane, which Attorney Mella has made clear. The documents that were signed nine years ago contemplated that Talon Lane would be extended straight due east and form a 90 degree with 25th Street. His preference is that there is no extension of Talon Lane. However, if extended he would prefer it is in accordance with the existing current street plan. He position is that any dedication by him is conditioned upon sharing of the cost of expenses he incurred to install private sewer and water lines.

Mielke moved to table this item indefinitely until a subdivision and development plan comes forward in accordance with City policy. Kellbach seconded and the motion carried unanimously 5-0.

Discussion and possible action on County Highway U driveway access

Rasmussen stated this item has generated a flurry of documentation right up until last night. A memo has been provided by the City Attorney distilling all of the information. Based upon the advice of the City Attorney and given that this matter has to do with access to easements and private driveways, the best course of action this committee can take is none. There is a question as to whether the City has the authority to allow and permit this type of activity.

The committee agreed by consensus to take no action at this time.

Discussion and possible action on the preliminary plans and cross section approval for the Thomas Street Project

Lindman explained that last month CISM directed AECOM to complete a realignment of Thomas Street. The alignment was moved approximately five feet south between 15th Avenue and 12th Avenue to minimize the impacts on the north side and then transition the alignment on the north between 12th and 11th. Staff would like a decision on the road alignment to move forward with a plat and then possibly start the real estate process.

Rasmussen stated that last month a number of residents voiced comments on both designs. The goal all along has been to reduce the number of total acquisitions. However, it was never the committee's goal to reduce the acquisitions to the point where they either create unsafe conditions for residents or they leave unsafe conditions in place. With that understanding, AECOM was directed to design the shift in the road. That plan has some issues but has resolved a couple of others. She noted that on AECOM's layout the properties marked with purple dots are the must haves. However, that does not mean that this committee cannot send a recommendation to Economic Development and Finance to consider acquiring a few additional properties that will either have short driveways or the sidewalk near their front step.

Abitz questioned how close the door to Treu's will be to the right-of-way. Gerland stated the right-of-way will be closer to their front door. If there would be issues with the door, the access can be modified as part of the real estate process. Abitz has not spoken with Treu's lately, but previously there was talk about creating a new parking area for the business. Gerland stated that would be work above and beyond where they are at with the preliminary plans and plat. With the plat, only the properties needed for the road right-of-way would be purchased. Items beyond that, such as Treu's parking, would have to be addressed separately.

Abitz has always been concerned with safety issues. With the amount of traffic there is not a good break for property owners to exit their property. Traffic reports dating back to the late 60's and early 70's list this area as a safety concern due to accidents. Rasmussen believes that when acquisitions begin, the must have properties would go to the Finance Committee. The additional properties acquired for future development would have to go to Economic Development. Accident statistics along with redevelopment potential can be provided. If Economic Development recommends acquisitions, then their recommendation would be sent to Finance. Discussion followed on a property where the front entrance would have to be changed. Abitz added that although new traffic counts have not been done, traffic has increased since Thomas Street has been overlaid.

Abitz moved to approve the preliminary plans and cross section as presented, with Parcels 17, 18, 19, 20 and 71 forwarded to Economic Development for consideration of acquisition for development and safety concerns. Mielke seconded.

Abitz stated that Tremor's is well aware of the plan and has been looking for a new location or may rebuild on the site. The owners of the Hmong grocery store would like to stay on Thomas Street. The building on the corner of 10th and Thomas has been completed and available for a business.

Gerland explained that the road between 15th Avenue and 12th Avenue was shifted to the south. Temporary easements would be needed for construction. He noted there was a S curve at the intersection of 15th Avenue and the right-of-way was closer to Webko. By shifting the road, the S curve was eliminated. Gerland stated improvements were made between 15th Avenue and 12th Avenue. The right-

of-way between 11th and 12th impacts the properties but not enough that the properties are needed for the road project, which is why Economic Development will have to be involved for acquisition. Rasmussen asked that those properties be delineated differently on the maps so it is easy to note the difference. When GRAEF's design was incorporated, the number of full acquisitions was greatly reduced. However, GRAEF's design was done with aerials and without actual survey data. It was known there still would be some give and take to the actual number of purchases. Gisselman questioned if the block on the north side between 11th and 12th was identified for economic development at any time. Abitz believes that block has always been discussed for development and that the entrances would be off of the side streets to improve safety. Rasmussen is on the Economic Development Committee and it was her intention to explain the safety issues on the north side properties and the marketability of the south side properties.

Chris Bargender, 1118 West Thomas Street, stated his wife showed her emotions at the last meeting. He is happy with what has been said tonight. When the project was brought up 10 years ago, his entire block was supposed to be bought out, which is why he or his wife appear at CISM every month. With this shifted plan they are left in limbo if they will be bought out for economic development. The traffic flow is insane in front of his house and agrees with Abitz that new traffic counts should be taken. He indicated that the residents in his block want to be bought out.

Roger Aho, 1105 West Thomas Street, stated he is happy with what he has heard tonight. However, if economic development does happen, he does not want to be prolonged two to three years after the road project. Rasmussen believes it would be done at the same time. Lindman added that the process is different between the properties that need to be acquired and the remaining properties, but the intent would be to have acquisitions take place before the road construction.

Lenz stated the GRAEF plan shows the south side being redeveloped. He questioned if the terrace area would be consistent throughout the project and Gerland confirmed.

There being a motion and a second, motion to approve the preliminary plans and cross section as presented, with Parcels 17, 18, 19, 20 and 71 forwarded to Economic Development for consideration of acquisition for development and safety concerns passed unanimously 5-0.

Discussion and possible action on Statement of Qualifications of Real Estate Services regarding the Thomas Street Project

Rasmussen stated that periodically when there are real estate acquisition needs on projects, the process is contracted out to another party. The Board of Public Works opened Statements of Qualifications for multiple firms. Lindman explained that rather than obtaining Request for Proposals as there is not a defined scope at this time, Statement of Qualifications (SOQ) were obtained. This process requested that firms provide their background and qualifications for this type of work. The SOQ's explained the criteria that staff would use to evaluate the statements. Based upon the qualifications, MSA rated the highest. Therefore, staff recommends moving forward with MSA. Once the scope of the project is fully defined, staff will work with MSA on costs for their services. Rasmussen questioned if MSA would charge on a per parcel basis or by the hour. Lindman explained strip takings may be one cost per site, residential another cost per site and commercial another cost per site.

Abitz questioned when the acquisition process would begin. Lindman replied the process would begin this fall. There is a lot of work to be done before the consultant contacts people. Acquisitions are not anticipated to begin until sometime in 2016. Rasmussen added that before acquisitions can begin a final plat has to be approved by Council. Additionally, Economic Development needs to start working on the

process for the additional five properties delineated tonight. Abitz stated that two of those five properties need work. The owners do not want to spend money if the house will be purchased.

Mielke moved to approve MSA as the qualified real estate firm. Abitz seconded and the motion passed unanimously 5-0.

Discussion and possible action on the safety of the intersection of 4th Avenue and Callon Street

Rasmussen stated the safety of this intersection started with the Westies Neighborhood Group. Lindman visited this site this spring. His visit was initiated by the deterioration of the retaining wall. At the last CISM meeting, staff was directed to look at the safety of the intersection. During the last five years there were only a couple of accidents at the intersection. He added that Callon Street was proposed for street reconstruction in 2016, but due to the budget that street has been deferred. Based upon the fact that the City made the intersection a four-way stop, staff recommends that the intersection be looked at for full reconstruction when a street reconstruction project is included in the budgeted. Staff could look at trying to increase the visibility of the intersection without street reconstruction if the committee desires. This would take staff time by completing survey and drafting work.

Mielke believes the homeowner has found a contractor that will replace the retaining wall with a tiered design, which will cost a lot of money. He is concerned that the owner will invest in the wall now and the City will have another design in a few years when the road is reconstructed. Rasmussen stated the Callon Street reconstruction project does not consist of widening the road; therefore, if the wall is reconstructed on her lot it would be safe.

Abitz stated at the previous meeting, Deb Ryan mentioned the bus service using this route. Abitz contacted the school district. There are nine busses that use Callon Street because they are not allowed to pick up students on Stewart Avenue. She finds it hard to believe there are many accidents at the intersection when there is a four-way stop. Rasmussen indicated the number of accidents at 3rd Avenue and Callon Street is higher than 4th and Callon. Abitz added that pedestrians should still be able to cross safely because of the four-way stop and feels it is more of an enforcement issue. Discussion followed on reconstruction of the retaining wall.

Deb Ryan spoke with the homeowner today. The contractor feels the existing wall is not sufficient. It was a HUD project done under the City and the wall was never inspected. The homeowner is still paying on that loan. The contractor feels it should be a poured wall, the steps at the intersection should be removed and the wall stepped into tiers. Ryan thought that surveying was going to be done after the last CISM meeting. She feels the City should buy a portion of the property and then there would be room to widen Callon Street in the future. Rasmussen stated staff could be directed to confer with the property owner and discuss options. However, given the budget situation and that Callon Street reconstruction has been delayed, the City may not be in a position to bring up the idea of property acquisition.

Gisselman does not want to commit the City to a project when we do not know everything that is involved. Abitz feels there should not be another delay as it seems that residents are always put in unusual scenarios that are unfair to them. Rasmussen stated that the engineering staff is there to design and engineer the function of infrastructure in the public right-of-way and how it relates to traffic flow and function and not to be hired out to the private sector to re-engineer private sector parcels. Abitz stated the door is open now to resolve this issue and it should not be delayed another year. Rasmussen added that if there was a project that was imminent and ready to start it would make sense to look at other options. However, the reconstruction project has been delayed. If the project is in the future, it does pay to speak with the homeowner to make sure a wall is not built that would have to be removed.

Lindman stated a survey crew could be on site within the next week or two but questioned the end goal. Ryan stated the owner wants to stay there but does know it is a dangerous intersection. She added that there will be additional traffic from the Schierl Tire development. The contractor has asked the owner why she isn't working with the City and why doesn't the City want to fix the intersection. Ryan feels the intersection can be fixed for a few thousand dollars now instead of a hundred thousand dollars five years from now. She added it was done for Ghidorzi and asked why it cannot be done for a homeowner.

Mielke moved to direct staff to coordinate with the homeowner and her contractor to verify that what is planned is part of the solution and will not be sacrificed by a future road project. Abitz seconded.

Gisselman noted that this is private property and does not want to give false promises to a property owner. Rasmussen added it could be precedent setting and cautioned the need of being careful of what is done and how it is done.

There being a motion and a second, motion to direct staff to coordinate with the homeowner and her contractor to verify that what is planned is part of the solution and will not be sacrificed by a future road project passed unanimously 5-0.

Discussion and possible action on a lease extension with Lamar for the signs located at Bridge Street and 3rd Street

Rasmussen explained that staff is not recommending an approval of the lease extension because at the time the contract was negotiated they were very fair with Lamar in working out the terms and the closure date on the contract was intended to be firm. To extend the lease would be outside of the scope of the original agreement.

Jacobson stated there was a letter sent in 2011 where the City was debating the terms of the lease because we inherited the lease from the original lessor. The lease was for a term of ten years but listed dates with a twelve year term. To go in favor of the lessee, another letter was sent to Lamar indicating that the lease expiration would be considered as December 31, 2015 rather than 2013. They have had the benefit of having the signs on Bridge Street for twelve years rather than ten. The City was getting \$6,600 rent per year for the two signs. They were allowed to retrofit the signs and have faces on both sides. Therefore, there are four sign faces. Also included in the packet were the fully executed Stipulations 1 and 2, and the court order. Stipulation 2 involved the signs on Bridge and 3rd, but it was a package deal to settle a case where the signs on Thomas Street were condemned when the intersection of Grand and Thomas was widened. Staff is following the court order and stipulation that was signed and accepted stating Lamar would agree to remove the signs at the end of the lease term, to which they have been given an additional two years. Lamar was put on notice in April that they should begin to prepare for the removal of the signs by the end of 2015.

Lenz explained that staff has had this date in mind while speaking with developers. The corner property has been acquired by the City as well as the property to the west. Redevelopment of the corner could potentially be limited with the signs. Redeveloping the corner would be more desirable compared to the lease revenue. The sign is also non-conforming. It is located in a B1 district. The zoning codes prohibit off premises advertising. The property should be brought into compliance from a zoning perspective.

Abitz moved to approve a lease extension with Lamar for the signs located at Bridge Street and 3rd Street. Kellbach seconded.

Rich Reinart, Real Estate Manager for Lamar Advertising, stated this was brought forward to the City for renewal thinking the signs have been there and it is income for the City. 90% of the businesses that use the signs are businesses in Wausau. He can understand the concern for redevelopment. He suggested a five year agreement with a construction clause. The clause could state if the lot was to be developed the agreement would end and the signs would be removed with a 60-day notice. The City would still receive \$8,000 per year until development and the benefit of a 60-day notice to remove the signs.

There being a motion and a second, motion to approve a lease extension with Lamar for the signs located at Bridge Street and 3rd Street failed 0-5.

Discussion and possible action on establishing guidelines/recommendations for tree planting related to street construction projects

Rasmussen recently attended a Park and Rec Committee meeting where networking between Parks and Engineering during street design was discussed. Lindman explained that on street reconstruction projects there was a concern of older trees being cut down and smaller trees replanted. Engineering does currently look at the existing trees during street design. A short video was presented on an urban street tree program in Milwaukee where they try to preserve trees during construction. Sidewalks are placed around trees and are raised over larger tree roots rather than cutting the roots. By saving the trees it saves money in cooling costs, pollution abatement and groundwater treatment. There was discussion at the Park and Rec meeting about having Jim Kringer, the individual from the video, come here to speak with staff about incorporating ways to ensure our tree infrastructure is maintained as much as possible. The Park and Rec Committee indicated if the individual is willing to talk with staff and there is a fee associated, the fee could possibly come from the Council's budget. Rasmussen believes if the costs are reasonable it would make sense and would be valuable training.

The committee agreed by consensus to direct staff to move forward with contacting Kringer to meet with staff. Abitz noted that Blaine Peterson does a wonderful job.

Discussion and possible action on the street reconstruction project of 2nd Avenue from Stewart Avenue to Elm Street and Clark Street from 2nd Avenue to the cul-de-sac

Rasmussen stated this project has been delayed a few times to obtain stakeholder input and GRAEF was contracted with for the landscape design. Wesolowski reminded the committee that the public hearings for this project were delayed in spring. GRAEF and the Engineering Department moved forward with the landscape and street designs. The plans are primarily completed and the engineering estimate for the road, storm sewer and amenities is up to \$1.8 million and \$1.05 million was budgeted. Staff is looking for direction on moving forward with the current design or modifying the design to get the project within budget. Rasmussen questioned if certain elements of the plan have been identified as cost leaders and if less expensive alternatives could be looked at for those elements. Wesolowski replied the pavers alone are approximately \$350,000. The paver grating system is specialty work and the raised concrete intersections are costly to build. Wesolowski did not feel comfortable picking alternatives and cutting the project as the committee and stakeholders have seen and approved the current design. Rasmussen asked if it was possible to get photos of the Urbana paver and a less expensive paver. Mielke stated the west side business owners want something done and a decision needs to be made. Rasmussen stated the municipal borrowing was just completed and this project was not included. Wesolowski noted that the project falls within TID 8.

Elizabeth Field, Wausau River District Executive Director, indicated the business owners are frustrated and want to see something done. Ideally getting public input would be fantastic. She has notified the

business owners that this project may not happen this year. Although they are frustrated they really just want to know what is going on. Rasmussen stated there were a lot of stakeholder meetings to obtain what they wanted as far as a vision for the area. There was a time when they all wanted something but there was not a cohesive vision. Then there was a time when there were initial designs and no consensus from the stakeholders. Trying to incorporate different visions slowed the process down. Waiting to complete the project until 2016 does give time to view alternative lights and pavers and receive feedback from the stakeholders; although she does not want to go back to square one. Gisselman stated the need to be cognitive of the bottom line. Rasmussen indicated having a list of three to four potential alternatives and samples or pictures of alternatives would assist in giving a vision. The design still needs to be something different and unique as the area is looking for its own identity. Field agreed and added that the stakeholders do not want to be similar to the east side of Wausau. She noted that the Mifflin Street area of Madison has been mentioned in West Side Pride meetings. This may be a good starting point to look at different materials. Mielke stated there has been so much planning for this project that it would be sinful to let it go by the wayside. Lenz stated the basic structure is there. If options are explored that require a lot of engineering it will add cost to the whole project. Staff will look at simple fixes/alternatives that can be inserted into the current plans.

Mielke moved to defer the street reconstruction project of 2nd Avenue from Stewart Avenue to Elm Street and Clark Street from 2nd Avenue to the cul-de-sac to 2016. Kellbach seconded and the motion passed unanimously 5-0.

2016 CIP Summary

Rasmussen explained that in connection with the CIP budget, infrastructure needed to be cut by two thirds. Lindman noted that out of the street construction projects, Chicago and Kent are proposed to be reconstructed in 2016 with all other streets deferred. The asphalt paving project and sidewalk replacement would not be funded in 2016. Bridge maintenance would be added for 2016. Funds for concrete pavement repair and pavement marking would be reduced from previous years.

Wesolowski noted that Ashland and Meadowview are also proposed for street construction in 2016. These streets were proposed for 2015 but deferred. He added that Chicago Avenue has the possibility of receiving Community Development Block Grant funding. The other streets original proposed for 2016 are all in need of work. The watermain in Callon Street is in poor condition. Washington Street and 2nd Street are in poor condition, along with the utilities. Kent Street is still proposed because it has been on the list for some time and probably in the worst condition out of all the streets proposed. He noted that reducing the sidewalk project to \$100,000 would not allow for a lot of work to be done and staff felt it would make more sense to delay it for a year.

Rasmussen stated in terms of cuts this is more severe than what has been seen in the past. If any of the 2015 projects are completed under budget, Rasmussen would like to see some projects partially funded. She added that taking one year off of one project does not mean it is alright to take three or four years off. We are to a point that we are holding our own as far as infrastructure. Lindman explained that after streets are overlaid with asphalt, DPW sealcoats them within a certain time frame to maximize the life. Due to budgets, DPW has been behind on sealcoating. This was taken into account when proposing to delay the overlay project.

Mielke moved to approve moving forward with the 2016 CIP Projects as presented. Kellbach seconded and the motion passed unanimously 5-0.

Future agenda items for consideration

Rasmussen asked for an update on construction projects near schools. Wesolowski stated that Our Savior's Church is along the Flieth Street project. The curb has been installed and the binder course was placed today. There are no other projects near schools. Abitz heard from the minister of Our Savior's and he is pleased with the project.

Adjourn

Abitz moved to adjourn the meeting. Kellbach seconded and the motion carried unanimously 5-0. Meeting adjourned at approximately 8:10 p.m.