



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, January 11, 2022 at 6:30 p.m.
Location:	City Hall (407 Grant Street, Wausau WI 54403) - Council Chambers
Members:	Patrick Peckham, Michael Martens, Tom Kilian, Tom Neal, Jim Wadinski, Becky McElhaney, Lisa Rasmussen, Sarah Watson, Dawn Herbst, Lou Larson, Deb Ryan

Call to Order			
Pledge of Allegiance / Roll Call / Proclamations			
Public Comment:	Pre-registered citizens for matters appearing on the agenda and other public comment.		
File #	CMT	Consent Agenda	ACT
21-1201	COUN	Minutes of previous meetings (12/07/21 & 12/14/21)	Place on file
22-0104	CISM	Ordinance Amending Section 10.20.080(a) designating no parking on the south side of Fulton Street beginning at its intersection with 7th Street and extending 49 feet west, the north and south sides of Fulton Street beginning at its intersection with 6th Street and extending 100 feet east, and the south side of Strowbridge Street between North 1st Avenue and North 2nd Avenue	Approved 5-0
21-0108	PH&S	Resolution Approving or Denying Various Licenses as Indicated	Approved 5-0
File #	CMT	Resolutions and Ordinances	ACT
22-0103		Mayor's Appointments	
22-0105	ED	Resolution Approving Planning Option Agreement with Main Street Wausau LLC (Terrence Wall) for Riverlife Lots 6, 7 and 8	Approved 4-0
15-0708	ED	Resolution Approving First Amendment to Development Agreement between City of Wausau and Riverlife Condos, LLC (Mitch Viegut)	Approved 4-0
22-0106	ED	Resolution Approving Sale of 9913/9915 Innovation Way in Business Campus to Badger Liquor Co. Inc	Approved 4-0
Suspend Rule 6(B) Filing and 12(A) Referral of Resolutions (2/3 vote required)			
02-0432	COUN	Ordinance Amending Chapter 2.16, Standing Rules of the Common Council Rule 2 – Quorum Required and Rule 4 – Absence of Members	Pending
02-0432	COUN	Resolution Amending rules relating to meetings of governmental bodies	Pending
16-1110	FIN	Resolution Authorizing the Wausau Fire Department to submit an application to the US Department of Homeland Security (FEMA) for an Assistance to Firefighters Grant Program - Staffing for Adequate Fire and Emergency Response (SAFER) grant for 9 additional firefighters/paramedics	Pending
Public Comment & Suggestions			
Adjournment			

Signed by Katie Rosenberg, Mayor

This meeting is being held in person and via teleconference. The lines of those public members monitoring the meeting will be muted during the meeting. Members of the media and the public may attend in person or by calling 1-408-418-9388. The Access Code is: 2493 038 5314 Password: wausau1 Members of the public who do not wish to appear in person may view the meeting live on the City of Wausau’s YouTube Channel http://www.tinyurl.com/WAAMedia, live by cable TV, Channel 981, and a video is available in its entirety and can be accessed at https://tinyurl.com/WausauCityCouncil. Any person wishing to offer public comment who does not appear in person to do so, may e-mail mary.goede@ci.wausau.wi.us with “Common Council public comment” in the subject line prior to the meeting start.
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This Notice was posted at City Hall and transmitted to the Daily Herald newsroom on 1/07/22 @ 4:30 pm. Questions regarding this agenda may be directed to the City Clerk.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the City of Wausau will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the ADA Coordinator at (715) 261-6590 or ADAServices@ci.wausau.wi.us to discuss your accessibility needs. We ask your request be provided a minimum of 72 hours before the scheduled event or meeting. If a request is made less than 72 hours before the event the City of Wausau will make a good faith effort to accommodate your request.

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL

Special Meeting held on Tuesday, December 7, 2021, In Council Chambers,
beginning at 6:45 p.m., Mayor Katie Rosenberg presiding.

Roll Call

12/7/2021 6:46:29 PM

Roll Call indicated 10 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	NV
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	YES

Public Comment: Pre-registered citizens for matters appearing on the agenda.

None

Suspend the Rules

12/7/2021 6:47:16 PM

Motion by Neal, second by Herbst to Suspend Rule 6(B) Filing and 12(A) Referral of Resolutions. (213 vote required)

Yes Votes: 10 No Votes: 0 Not Voting: 1 Result: PASS

21-1204

12/7/2021 6:47:59 PM

Motion by Neal, second by Larson to adopt the Resolution of the Economic Development Committee Approving the proposal submitted by Gorman 8 Company, LLC for the redevelopment of the former Westside Battery and L & S Printing properties at 415 S. 1st Avenue and a Planning Option Agreement with Gorman & Company, LLC

Yes Votes: 10 No Votes: 0 Not Voting: 1 Result: PASS

20-0410

12/7/2021 6:49:12 PM

Motion by Watson, second by Rasmussen to adopt the Resolution of the Economic Development Committee Granting consent to RJ Elm Properties, LLC, to mortgage the Property described in the Colors (Plaza Hotel) Multifamily Phase I Development Agreement to GreenState Credit Union

Yes Votes: 10 No Votes: 0 Not Voting: 1 Result: PASS

02-0425

12/7/2021 6:49:53 PM

Motion by Martens, second by Neal to adopt the Resolution of the Finance Committee Designating Public Depositories and Authorizing Withdrawal of County, City, Village, Town or School District Monies

Yes Votes: 10 No Votes: 0 Not Voting: 1 Result: PASS

Adjourn

12/7/2021

Motion by Neal, second by Peckham to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:50 pm.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL

held on Tuesday, December 14, 2021, in Council presiding. Chambers, beginning at 6:30 p.m.,
Mayor Katie Rosenberg presiding.

Roll Call

12/14/2021 6:30:47 PM

Roll Call Indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	YES

Public Comment for Pre-registered citizens for matters appearing on the agenda and other public comment

- 1) Thomas Brown, 715 N 5th Ave, requested the City of Wausau require Covid vaccinations for all city employees. He also spoke against the one-time lump sum bonuses. He felt employees should be paid appropriately instead of given bonuses and that money should be spent on something physical, such as roads.

Communications:

Clerk's Appointments to the Absentee Board of Canvassers for a term expiring December 31, 2023, pursuant to Wisconsin Stats. 7.53(2)(a)1

Consent Agenda

12/14/2021 6:34:37 PM

Motion by Neal, second by Herbst to adopt all of the items on the Consent Agenda as follows:

21-1101 Minutes of the previous meeting (11/23/21).

21-1210 Preliminary Resolution of the Capital Improvements & Street Maintenance Committee Levying Special Assessments for 2022 Alley Paving Project.

21-1211 Preliminary Resolution of the Capital Improvements & Street Maintenance Committee Levying Special Assessments for 2022 Street Construction Project.

03-0717 Resolution of the Finance Committee Approving Municipality Hold for Cause Services Agreement for the Impoundment, care, treatment and/or humane disposal of animals taken into Custody by law enforcement or humane officers and animals held for cause, between the Humane Society of Marathon County, Inc. and the City of Wausau, from January 1, 2022 through December 31, 2023.

03-0717 Resolution of the Finance Committee Approving Purchase of Animal Impoundment Services Agreement for the Impoundment, care, treatment and/or humane disposal of non-dog strays taken into custody by law enforcement or humane officers, between the Humane Society of Marathon County, Inc. and the City of Wausau, from January 1, 2022 through December 31, 2022.

12-1214 Resolution of the Finance Committee Approving of Intergovernmental Humane Officer Services Agreement between the City of Wausau and Everest Metropolitan Police Department from January 1, 2022 through December 31, 2022.

21-1208 Ordinance of the Plan Commission Rezoning 710 Grant Street from TF-10, Two-Flat Residential-10 Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow Commercial storage and residential use.

21-0108 Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses, as Indicated.

18-0909 Resolution of the Wausau Water Works Commission Approving contract with City of Schofield for treatment of raw sewage.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1203

12/14/2021 6:35:24 PM

Motion by Wadinski, second by Rasmussen to confirm the Clerk's Appointments to members of the Board of Election Officials for a term ending December 31, 2023.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1206

12/14/2021 6:35:57 PM

Motion by Wadinski, second by Neal to adopt the Joint Ordinance of the Capital Improvements & Street Maintenance Committee and the Plan Commission Annexing territory from the Town of Stettin to the City of Wausau (Dean Grube - 311 N. 36th Avenue)

Yes Votes: 11 No Votes: 0 Result: PASS

21-1209

12/14/21 6:36:34 PM

Motion by Neal, second by Kilian to adopt the Resolution of the Economic Development Committee Approving lease agreement with Seth Carson for property at 180 E. Wausau Avenue

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	NO

21-1109

12/14/2021 6:50:46 PM

Motion by Rasmussen, second by Herbst to adopt the Resolution of the Finance Committee Authorizing the modification of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Wausau Municipal Code 3.40.010(a) (2022 Comprehensive Fes, Schedule)

Tom Kilian questioned where the complaints were coming from regarding Lot 8 on River Drive being unattractive and asked Maryanne Groat for clarification/rationale for the increase in the parking fees. Groat explained the city had a parking study done in 2014 and the recommendation was to create an affordable parking lot for downtown employees to park. Lot 8 was not heavily used so the price was reduced to \$5.00 per month, however, it has not made the impact intended and very few people use the lot for daytime parking while working. She stated it has basically become a storage facility, with a multitude of campers and trailers parked there, in addition to cars that people aren't using. The downtown people have indicated they are unhappy with that lot's appearance, and it is hard for parking enforcement regarding permits as many don't have license plates. She commented the whole thing isn't working as it was designed to and there is inexpensive parking available in the Jefferson Ramp where downtown employees have now elected to park. The ramp is closer and more convenient for them for walking as opposed to coming up the hill from River Drive.

Kilian questioned if that lot was where the Outreach Task Force bus is currently located and how it would impact them. Groat responded that it was the lot, but the Police Department authorized free parking for them because of their non-profit affiliation. Kilian pointed out the annual rate has gone up from \$55 to \$440. Groat pointed out people are electing to park their campers there because it is so cheap, but the downtown is really not the appropriate place for long term storage and there are other choices in the private sector.

Jim Wadinski commented he also felt the fee structure was somewhat high and suggested the CISM Committee take up the issue and implement some parking restrictions there. Groat indicated they considered that option at an internal meeting with Eric Lindman, Lt. Cord Buckner from PD, and Attorney Nate Miller, but they decided they preferred this option to increase fees and not to restrict. From a staff perspective they felt it would drive people to consider other parking choices for their campers.

Kilian did not feel they should use financial penalties to price out regular folks from using city property. Wadinski commented with redevelopment coming to the downtown and the possibility of more businesses, perhaps the lot should remain affordable for that lot for employees and suggested restricting the parking from 2:00 AM – 6:00 AM.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	NO
4	Neal, Tom	YES
5	Wadinski, Jim	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	NO

03-1110

12/14/2021 6:51:32 PM

Motion by Wadinski, second by Watson to adopt the Joint Resolution of the Human Resources Committee and the Finance Committee Approving an Amendment to the Part-Time, Temporary and Seasonal Pay Schedule

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	NO

12-0219

12/14/2021 6:52:48 PM

Motion by Rasmussen, second by Herbst to adopt the Joint Resolution of the Human Resources Committee and the Finance Committee Approving adjustment to the vacation accrual schedule in Section 8.04 Vacation of the Employee Handbook

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	NO

21-1213 Refer Back

12/14/2021 7:02:29 PM

Motion by McElhaney, second by Rasmussen to Refer the Joint Resolution of the Human Resources Committee and the Finance Committee Approving a One-Time, Lump Sum Additional Compensation to Designated Non-Represented Employees back to the

Human Resources Committee.

Becky McElhaney stated there has been a lot of confusion and misinformation floating around on this item. She clarified HR Committee was tasked by Finance and CISM to find a solution for the non-represented employees as a recruitment and retention tool. She commented they tried to be as fair as possible. Two steps were eliminated for new entry employees which resulted in compression, and therefore the lump sum payment for employees past midpoint. The word “bonus” seemed to be an issue and suddenly the pandemic and hazard pay got brought into the issue, which was not ever discussed at HR Committee. This was not meant to be a bonus or some employees as recognition for Covid work. The goal is to pay good wages to all employees represented or not and not to pit one against the other. She wanted this referred back to committee because of all the confusion surrounding it and the accusations of it being union versus non-union. She stated this is not being sent back to discuss pandemic or hazard pay, just to clarify the lump sum payment.

Lou Larson stated he initially supported this but was having second thoughts because of the division it could cause between employees. He questioned why the non-represented employees were entitled to something the represented employees were not. He stated he did not want to exercise any divisive measures in our workforce and was no longer sure that it was in the best interests.

Tom Kilian agreed it should be referred back because it essentially segments and create disparate treatment among employees, particularly between union and non-reps because it seems to just equalize the difference. He acknowledged that union contracts reap better benefits and payments for workers and non-union contracts tend to be deficient. He wanted the disparity to be neutralized and wanted to see the fiscal components of giving it to all employees.

Lisa Rasmussen agreed it needed to be re-evaluated specifically for the terminology. She felt once the word “bonus” came out it created a volume of misunderstanding which snowballed and compounded by communications that were issued from our organized labor unions, local labor council, and both chiefs of our public safety departments. She stated whenever you have groups of workers who have the ability to negotiate every two years and groups that never can, you automatically have disparity whether you want it or not. This does not need to be about union and non-union, it needs to be about what the consequences are of that disparity, especially in the work group that has no power to negotiate.

Vote to refer back to HR:

Yes Votes: 11 No Votes: 0 Result: PASS

21-1207

12/14/2021 7:03:16 PM

Motion by Watson, second by Larson to adopt the Resolution of the Park & Recreation Committee Authorizing the approval of Wausau/Marathon County Parks, Recreation & Forestry Sponsorship Policy and Wausau/Marathon County Parks, Recreation & Forestry Naming Guidelines and Criteria on behalf of the City.

Yes Votes: 11 No Votes: 0 Result: PASS

16-0704

12/14/2021 7:06:09 PM

Motion by Herbst, second by Rasmussen to adopt the Resolution of the Wausau Water Works Commission Approving application for and administration of funds from the Safe Drinking Water Loan Program.

Deb Ryan questioned if the lead lateral replacement will be part of this program. She indicated she had some neighbors that don't want to be told that they have to replace the lead lateral or have it done within a year. She stated there could be some options of how to filter the system that may be less expensive.

Eric Lindman clarified this resolution allows us to apply for the forgivable loan for the lead service line replacement, which has been done the last three or four years. The DNR wants us to request on an annual basis now instead of multiple years.

Yes Votes: 11 No Votes: 0 Result: PASS

Suspend the Rules

12/14/2021 7:06:41 PM

Motion by Watson, second by Peckham to Suspend Rule 6(B) Filing and 12(A) Referral of Resolutions (2/3 vote required)

Yes Votes: 11 No Votes: 0 Result: PASS

19-1113

12/14/2021 7:08:12 PM

Motion by Neal, second by Watson to adopt the Ordinance of the Plan Commission Amending Section 23.01.23 Definitions, Section 23.02.04 Interpretation of zoning district boundaries, Section 23.03.28 Accessory land uses and structures, Section 23.10.21 Notice of public hearings, Section 23.10.22 Public meetings, Section 23.10.31 Zoning map amendment, Section 23.10.44 Planned unit

development review and approval procedure.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1213

12/14/2021 7:10:05 PM

Motion by Rasmussen, second by Larson to adopt the Resolution of the Common Council Approving City's Waiver of First Right of Refusal to Repurchase property at 715, 717, 719, 721 and 723 S. 72nd Avenue from Fong Family, LLC.

Kilian questioned if there was a reason they were dispersing these properties all at the same time or if this was just something routine. Anne Jacobson stated she did not know why the LLC decided to sell the property before the end of the year, but they do need the city's consent to waive the right to repurchase because of the consistent deed restrictions we have required against all the properties.

Yes Votes: 11 No Votes: 0 Result: PASS

01-0904

12/14/2021 7:10:48 PM

Motion by Watson, second by Herbst to adopt the Resolution of the Common Council Approving Termination of Recorded Deed Restrictions and Recording Set of Revised Deed Restrictions for 500 N. 72nd Avenue and 7300 International Drive.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1212

12/14/2021 7:13:05 PM

Motion by Herbst, second by Watson to adopt the resolution of the Common Council Approving the hiring of special counsel and authorizing the City Attorney to hire and manage outside legal counsel engaged to advise the Ethics Board In the matter of the Complaint of William Harris against Alderperson Debra Ryan.

Mayor Rosenberg stated discussion must be focused very narrowly on the scope of whether or not this body will authorize the hiring of an outside attorney, rather than any substantial discussion of the topic.

Deb Ryan indicated she would abstain from voting.

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

<u>District</u>	<u>Alderperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Ryan, Debra	ABS

Public Comment or Suggestions:

None

Closed Session

12/14/2021 7:14:58 PM

Motion by Martens, second by Herbst to convene In CLOSED SESSION pursuant to 19.85(1)(c) of the Wisconsin Statutes considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and 19.85(1)(g) of the Wisconsin Statutes conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved regarding a bus operator.

Roll Call Vote:

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

<u>District</u>	<u>Alderperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES

2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	YES

Reconvened into Open Session

21-1205

12/14/2021 7:24:55 PM

Motion by Herbst, second by Rasmussen to adopt the Resolution of the Human Resources Committee Approving a separation agreement between the City of Wausau and Bus Operator II Jon Rothmeyer.

Yes Votes: 11 No Votes: 0 Result: PASS

Adjourn

12/14/2021

Motion by Watson, second by Wadinski to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:25 pm.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk

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

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

Amending Section 10.20.080(a) designating no parking on the south side of Fulton Street beginning at its intersection with 7th Street and extending 49 feet west, the north and south sides of Fulton Street beginning at its intersection with 6th Street and extending 100 feet east, and the south side of Strowbridge Street between North 1st Avenue and North 2nd Avenue.

Committee Action: Approved 5-0

Ordinance Number:

Fiscal Impact: None

File Number: 22-0104

Date Introduced: January 11, 2022

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

Add ()

Section 1. That Section 10.20.080(a) of the Wausau Municipal Code is hereby amended to read as follows:

(a) There shall be no parking in the following location:

...

Fulton Street

- South side of Fulton Street beginning at its intersection with 7th Street and extending 49 feet west
- North and south sides of Fulton Street beginning at its intersection with 6th Street and extending 100 feet east

...

Strowbridge Street

- South Side of Strowbridge Street between North 1st Avenue and North 2nd Avenue

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:

Katie Rosenberg, Mayor

Attest:

Kaitlyn Bernarde, City Clerk

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: December 9, 2021, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Lisa Rasmussen, Lou Larson, Tom Neal
(Debra Ryan and James Wadinski were excused)

Also Present: Mayor Rosenberg, Eric Lindman, TJ Niksich, Cord Buckner, Tara Alfonso, Dustin Kraege, Chris Barr, Lori Wunsch
By WebEx: Sarah Gerarden, Jack Wagner, Colton Swetlik, Jake Neerdaels, Abigail Becker, Derek H/Gary R – UW Capstone, Gavin Luter, Jan Kucher

Discussion and possible action on parking restrictions in the 600 block of Fulton Street

Buckner explained this is mostly housekeeping as the existing postings are not in ordinance. The current posting includes no parking on the north side of the 600 block. The south side is posted no parking here to corner on the east end. No parking back to corner is posted on the west end. We are looking to remove the no parking on the north side as there does not seem to be a need for it. It was most likely posted when East High School was located there. Staff is looking to add no parking here to corner on the north side, west end, to accommodate a railroad warning device and a driveway.

Larson moved to approve. Neal seconded and the motion carried unanimously 3-0.

AGENDA ITEM

Discussion and possible action on parking restrictions in the 600 block of Fulton Street

BACKGROUND

The 600 block of Fulton St. is currently posted with several parking restrictions that are not included within ordinance. The location became the subject of review when a request was received to remove certain no parking restrictions. In review of the location, it was determined certain restrictions could be removed and that other restrictions should remain or be modified.

FISCAL IMPACT

None

STAFF RECOMMENDATION

1. Existing Posted Restrictions (consideration to remove/maintain/modify)
 - a. No Parking This Side of Street
 - Posted on the north side of 600 Fulton St.
 - Resident requested removal of this restriction.
 - Review of the location supports removal of the posted restriction.
 - b. No Parking Here to Corner
 - Posted on the south side of 600 Fulton St., approx. 49' from the intersection of 7th St.
 - Review of the location supports maintaining the posted restriction.
 - The section provides clearance for driveway approach and intersection approach.
 - c. No Parking Back to Corner
 - Posted on the south side of 600 Fulton St., approx. 75' from the intersection of 6th St.
 - Review of the location supports maintaining the posted restriction and **expanding the restricted section to approx. 100'** from the intersection of 6th St.
 - The expanded section will provide clearance for driveway approach and railroad tracks/crossing located with the restricted section.
2. New Posted Restrictions (consideration to add new location)
 - a. No Parking Here to Corner
 - Post on the north side of 600 Fulton St., approx. 100' from the intersection of 6th St.
 - Review of the location supports adding the restriction.
 - The section will provide clearance for driveway approach and railroad crossing apparatus located with the restricted section.

Staff contact: Lt. Cord Buckner 715.261.7803; Allen Wesolowski, City Engineer, 715.261.6762





CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: December 9, 2021, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Lisa Rasmussen, Lou Larson, Tom Neal
(Debra Ryan and James Wadinski were excused)

Also Present: Mayor Rosenberg, Eric Lindman, TJ Niksich, Cord Buckner, Tara Alfonso, Dustin Kraege, Chris Barr, Lori Wunsch
By WebEx: Sarah Gerarden, Jack Wagner, Colton Swetlik, Jake Neerdaels, Abigail Becker, Derek H/Gary R – UW Capstone, Gavin Luter, Jan Kucher

Discussion and possible action on no parking on the south side of Strowbridge Street from 1st Avenue to 2nd Avenue

Rasmussen noted the committee addressed the block to the east a couple of years ago because parking made removing snow difficult. There is a similar problem in the block between 1st and 2nd Avenues. It is across from apartment buildings and should have minimal disruption to residents. Lindman added that the width of the roadway is narrow; around 21' to 25'. Adding parking restrictions is highly recommended.

Larson moved to approve no parking on the south side of Strowbridge Street from 1st Avenue to 2nd Avenue from November 1 to April 1. Neal seconded and the motion carried unanimously 3-0.

AGENDA ITEM

Discussion and possible action on no parking on the south side of Strowbridge Street from 1st Avenue to 2nd Avenue

BACKGROUND

The current no parking regulations on Strowbridge Street are as follows:

Strowbridge Street

- Both sides of the street between N. 1st Avenue and Cherry Street
- North side between N. 3rd Avenue and N. 1st Avenue from November 1 to April 1

DPW has requested the south side of Strowbridge between 1st and 2nd Avenue be added to no parking.

See map

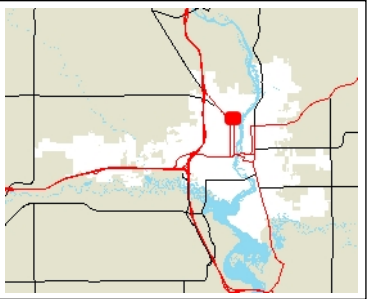
FISCAL IMPACT

None

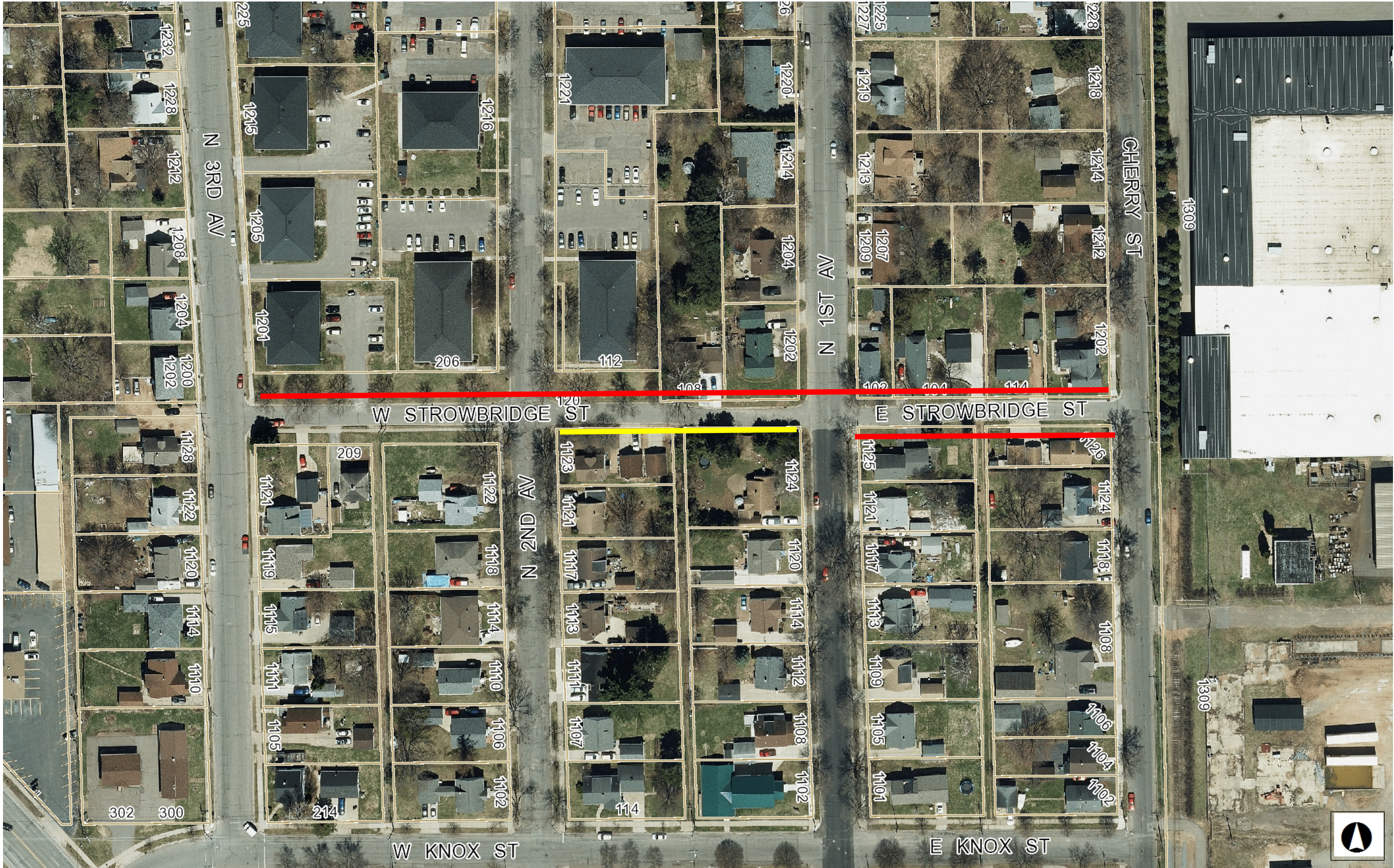
STAFF RECOMMENDATION

Staff recommends approval.

Staff contact: Allen Wesolowski 715-261-6762



- Legend
- Parcel
 - Section Line/Number
 - Municipality



Current No Parking

Proposed No Parking



Map Created: 12/1/2021

50.00 0 50.00 Feet

NAD_1983_HARN_WISCRS_Marathon_County_Feet

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

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

RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE

Approving or Denying Various Licenses as Indicated

Committee Action: Approved 5-0

Fiscal Impact: None

File Number: 21-0108

Date Introduced: January 11, 2022

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☒ No ☐	
	<i>Included in Budget:</i>	Yes ☐ No ☐	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes ☐ No ☐	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> ☐ <i>Debt</i> ☐ <i>Funds on Hand</i> ☐ <i>Interfund Loan</i> ☐		

RESOLUTION

WHEREAS, your Public Health and Safety Committee considered certain license applications at its December 20, 2021 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:

Katie Rosenberg, Mayor

CLERK'S REPORT TO PUBLIC HEALTH & SAFETY COMMITTEE

December 20, 2021 Meeting

AGENDA ITEM # 2

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

ADDITIONAL INFORMATION

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. **Denial Recommendations:** Operators Licenses – **1) Austyn Savaske** – Applicant had her license revoked by the City Council in 2017 after she was determined to have been impaired while serving at the Cabaret. She refused a PBT when requested, as well. The applicant is now applying again for license, however, has a pending 2nd Offense OWI from May 2021. The 1st offense conviction is from 2015. **2) Chris Summerfield** – Domestic Violence Battery conviction 2018. (Battery is an exempt offense.)
2. **Class B Beer & Liquor** License application, for DNA Bar & Restaurant, LLC, owners Ashley & Dan Dadabo, dba Pregame Pub, for premises 2002 N 6th St (formerly 6th Street Pub). *Approved by Liquor License Review Subcommittee (minutes attached).* Also applied for Tavern Entertainment and Amusement Device licenses.
3. **Temporary Class B Retail (Picnic)** License by Wausau Central Wisconsin Sports Authority Inc., for Leinenkugel's Classic Pond Hockey Tournament, January 14th – 16th, 2022.
4. **No Special Event Applications.**

STAFF RECOMMENDATION

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

Mary Goede, Deputy Clerk

Date of Report: December 17, 2021

(715) 261-6621

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, December 20, 2021, at 5:15 pm, (Council Chambers)

Members Present: Lisa Rasmussen (C), Jim Wadinski, Pat Peckham, Dawn Herbst, and Becky McElhaney

Others Present: Tara Alfonso, Ben Bliven, Jeremy Kopp, Kaitlyn Bernarde, Mary Goede, Katie Rosenberg, Michelle Van Krey

Consider approval or denial of various license applications.

Lisa Rasmussen stated there were two denial recommendations for Operator Licenses for Austyn Savaske and Chris Summerfield. It was noted Austyn Savaske was not present.

Chris Summerfield addressed the committee stating he did not fully understand the process for which his application was denied. He stated the letter indicated the reason was due to a battery conviction from three years ago and that it was an exempt offense. He stated he has come a long way since that incident and has moved to another state to avoid the person involved in the battery. He came back here specifically because his mother is ill, and he is working at a gas station. He noted he obtained Operator's Licenses in Rothschild and Weston prior to this, but his job transferred to the store in Wausau.

Peckham questioned what the definition of "exempt offense" is. Police Chief Ben Bliven stated individuals with an exempt offense on their record do not have the ability by statute to provide evidence of rehabilitation. Most offenses are non-exempt, which provides for the ability to show evidence of rehabilitation to be approved. Battery is an exempt offense. Assistant City Attorney Tara Alfonso added it means we are not discriminating against someone if we fail to approve them for licensing based on the existence of an "exempt" offense. She pointed out that doesn't mean the city cannot approve it but it is not required to; it is not employment discrimination under the state statutes to fail to make that exception.

Summerfield stated he works at a gas station and only needs the license to sell alcohol from the store. Rasmussen stated the license is city wide and could also be used at a tavern or other Class B establishment and there is no provision for a restricted license to sell at retail only establishments. Summerfield stated he has changed since the incident and is very patient with himself and everyone else and tries to think before acting or speaking in both personal and professional situations. Alfonso questioned if he had taken any anger management classes and Summerfield responded that he had not but was willing to.

Peckham questioned if there were other offenses on the record that the Chief considered in his denial recommendation or if he knew if the battery was alcohol related. Chief Bliven stated he did not know if it was alcohol related, it was domestic violence related battery conviction from 2018. There were additional charges from 2016 to which a no contest plea was entered for bail jumping and neglecting a child, both misdemeanors. He stated he reviews the policy the Council created when he makes recommendations on denial or approval and tries to be as consistent as possible. He felt the conviction was relatively recent and that is part of his consideration. He indicated his denial recommendation remains.

Motion by Peckham, second by McElhaney to approve or deny licenses as recommended by staff, except for Chris Summerfield to be voted on separately. Motion carried 5-0.

Motion by Peckham, second by Herbst to approve the Operator License for Chris Summerfield.

Becky McElhaney questioned if he was working at a Wausau RStore by Fleet Farm and if he had worked anywhere else. Summerfield confirmed he was currently working at the Wausau location and had previously worked at The Store in Weston and at the Schofield RStore location. He commented he did not intend to bartend or use the license for anything but retail

A vote was taken on approval of the license. Motion carried 4-1 (*Rasmussen was the dissenting vote.*).



PHS Date 12/20/2021

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
163791	9010 - Bartender/Operator New	SUMMERFIELD, CHRIS	215 N 2ND AVE WAUSAU WI 54401		RSTORE #4495	11/19/2021	06/30/2022	No	Yes	
117862	9011 - Bartender/Operator 2-Yr Renewal	SAVASKE, AUSTYN	805 W 2ND ST MERRILL WI 54452		101 PUB	07/01/2021	06/30/2023	No	No	
163810	9020 - Public Transport Driver Renewal	BESSETTE, BRETT	605 BROWN ST WAUSAU WI 54403		NORTHWOODS CAB	11/21/2021	06/30/2022	Yes	Yes	
118425	9020 - Public Transport Driver Renewal	JACKSON, THERESA	6300 BIRCH ST, LOT 272 WESTON WI 54476		NORTHWOODS CAB LLC	12/10/2021	06/30/2022	Yes	Yes	
163684	9064 - Class B Beer & Liquor	DADABO, ASHLEY	802 FULTON ST WAUSAU WI 54403		PREGAME PUB			Yes	Yes	
163747	9069 - Temporary Class B Retailer (Picnic)	MAGUIRE, JODI	227460 SHRIKE AVE WAUSAU WI 54401		WAUSAU CENTRAL WISCONSIN SPORTS AUTHORITY PREGAME PUB				Yes	
163686	9076 - Tavern Entertainment	,	802 FULTON ST WAUSAU WI 54403		PREGAME PUB				Yes	
163685	9078 - Amusement Device	,	802 FULTON ST WAUSAU WI 54403		PREGAME PUB				Yes	
156788	9052 - Quadricycle Business	,	701 WASHINGTON ST WAUSAU WI 54403		SPOKEEASY	11/15/2021	12/31/2022		Yes	
164062	9080 - Public Transport Driver New	HARGROVE, KYLE	206 N STATE ST MERRILL WI 54452		NORTHWOODS CAB	12/08/2021	06/30/2022	Yes	Yes	
158376	9080 - Public Transport Driver New	NORFLEET, CHRISTOPHER	221 SCOTT ST #718 WAUSAU WI 54403		NORTHWOODS CAB	11/10/2021	06/30/2022	Yes	Yes	
163608	9080 - Public Transport Driver New	RYCHTIK, COURTNEY	114 N 2ND AVE WAUSAU WI 54401		ALL AMERICAN TAXI	11/11/2021	06/30/2022	Yes	Yes	



PHS Date 12/20/2021

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
164097	9080 - Public Transport Driver New	SHOOK, NICHOLE	1500 COUNTY HWY XX WAUSAU WI 54401		NORTHWOODS CAB	12/11/2021	06/30/2022	Yes	Yes	

Total Licenses

10

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

RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE

Approving Planning Option Agreement with Main Street Wausau LLC (Terrence Wall) for Riverlife Lots 6, 7 and 8

Committee Action: Approved 4-0

Fiscal Impact:

File Number: 22-0105

Date Introduced: January 11, 2022

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☒ No ☐	
	<i>Included in Budget:</i>	Yes ☐ No ☐	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes ☐ No ☐	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> ☐ <i>Debt</i> ☐ <i>Funds on Hand</i> ☐ <i>Interfund Loan</i> ☐		

RESOLUTION

WHEREAS, at your Economic Development Committee meeting on December 7, 2021, Main Street Wausau LLC (“Developer”), requested site control of Lots 6, 7 and 8 (“Property”) to allow them to perform borings, an environmental audit, an ALTA survey, title work and other due diligence necessary to determine the physical and financial feasibility of certain redevelopment activities at the Property; and

WHEREAS, following a closed session, your committee reconvened into open session and moved to grant Developer’s request for a planning option agreement which would allow it access to the Riverlife Lots 6, 7 and 8 until March 1, 2022, pursuant to the terms of the Planning Option Agreement, and until no later than May 1, 2022, to reach a binding development agreement; and

WHEREAS, at your Economic Development Committee meeting on January 4, 2022, the committee recommended approval of the attached Planning Option Agreement between the City of Wausau and Main Street Wausau LLC.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Wausau hereby approves the Planning Option Agreement as attached and instructs appropriate City staff to execute that Agreement.

Approved:

Katie Rosenberg, Mayor

MINUTES

Economic Development Committee Meeting

Date / time Tuesday, January 4, 2022, at 5:15 P.M. | *Meeting called to order by* Neil at 5:15 P.M.

In Attendance

Members Present: Tom Neal (C), Sarah Watson, Lisa Rasmussen, Becky McElhaney

Member Absent: Tom Kilian

Others Present: Mayor Rosenberg, Liz Brodek, Attorney Anne Jacobson, Randy Fifrick, MaryAnne Groat (Webex), Kevin Porter, Brit Samuels, Nick Patterson of T Wall Enterprises (Webex), Jerry Pruitt of Badger Liquor (Webex) and Lindsey Pearson of Badger Liquor (Webex)

Agenda Item 2 – Discussion and possible action on approving Planning Option Agreement with T Wall Enterprises, LLC for Riverlife Lots 6, 7, and 8 (Atty. Jacobson, Brodek)

Brodek explained at the last ED Meeting, the committee decided to give T Wall until March 1, 2022, to perform due diligence on the parcels and development negotiations would take place afterwards and within 60 days of the expiration date of the Planning Option Agreement. Development negotiations would need to be completed by May 1, 2022. Brodek explained the agreement the council put together reflects the terms as requested by the ED Committee and is similar to the Planning Option Agreement the city executed with Gorman & Co.

Rasmussen agreed that the Planning Option Agreement is exactly what the committee requested.

Rasmussen moved to approve the planning agreement. Seconded by Watson. Motion approved 4-0.

PLANNING OPTION AGREEMENT

THIS PLANNING OPTION AGREEMENT (this "Agreement") is made and entered into as of the 12th day of January 2022, by and between the **CITY OF WAUSAU**, a Wisconsin municipal corporation established pursuant to Chapter 66, Wis. Stats., having its office at 407 Grant Street, City Hall, Wausau, Wisconsin 54401 (hereinafter "CITY") and **MAIN STREET WAUSAU LLC**, a Wisconsin limited liability company, having an office at 1818 Parmenter St., Suite 400, Middleton, Wisconsin 53562 (hereinafter "DEVELOPER").

WITNESSETH:

WHEREAS, CITY is the owner of certain real property in the City of Wausau, County of Marathon, State of Wisconsin, consisting of approximately 1.48 acres and being depicted and identified as "Lot 6," "Lot 7," and "Lot 8" on Exhibit A attached hereto (the "Property"); and

WHEREAS, DEVELOPER has requested a period of time to complete all desired due diligence necessary to determine the physical and financial feasibility of certain redevelopment activities at the Property (the "Project"); and

WHEREAS CITY desires to see the Property redeveloped in order to generate economic activity and tax base for the community; and

WHEREAS, depending on a determination by both parties of the economic and land use compatibility of the proposed Project, CITY is willing to negotiate an agreement relating to the sale of the Property to DEVELOPER and development of the Project.

NOW, THEREFORE, for good and valuable consideration, the parties mutually agree and state as follows:

1. Planning Option.

- (a) Subject to the terms and conditions herein, CITY hereby grants to DEVELOPER an exclusive period from the date hereof until 5:00 PM (Central Time) on March 1, 2022 to complete, at DEVELOPER's sole cost, any desired due diligence and feasibility studies relating to the Property and the Project (the "Planning Option"). In consideration of the Planning Option, DEVELOPER has paid to CITY Ten Dollars (\$10.00).
- (b) During the Planning Option, CITY agrees not to sell the Property and agrees that DEVELOPER has exclusive rights to the purchase and development of the Property during such period.
- (c) During the Planning Option, CITY will provide DEVELOPER with reasonable access to the Property for purposes of completing customary due diligence; provided however, that: (i) any destructive or invasive testing shall require CITY's advance written consent; (ii) prior to conducting any activities on the Property, DEVELOPER agrees to provide CITY with proof of liability insurance reasonably acceptable to CITY; (iii) DEVELOPER agrees to promptly repair any damage

DEVELOPER or its agents causes (such obligation shall survive the expiration or termination of this Agreement); and (iv) DEVELOPER and its agents shall comply with all applicable laws. CITY shall make available all known environmental reports in CITY's possession.

(d) During the Planning Option, CITY shall make good faith efforts to coordinate the public agency participation in planning, obtaining data from public records as may be available, reviewing and commenting on aspects of the proposed development in a timely manner.

2. **Development Agreement Negotiations.** Upon a determination by DEVELOPER that the Project is feasible, DEVELOPER shall have the option to provide CITY with written notice of DEVELOPER's intent to proceed prior to the expiration of the Planning Option. Upon the delivery of such notice, the parties agree to negotiate in good faith for a period expiring at 5:00 PM (Central Time) sixty (60) days after the date of such notice (or if such date is a weekend or holiday, the next business day) to arrive at a binding development agreement between the parties relating to the sale of the Property and the development of the Project (the "Development Agreement"). The terms and conditions of the binding Development Agreement are subject in all respects to negotiation and mutual agreement (in each party's sole and absolute discretion), and neither party shall be obligated to enter into such agreement. Before it can be finalized, any Development Agreement shall be subject to the approval by the City Council. If after such negotiation period no binding Development Agreement has been completed, this Agreement shall self-terminate. Without limiting the generality of the foregoing, DEVELOPER acknowledges and agrees that (i) CITY has no obligation to enter into a Development Agreement, to provide development incentives, or to sell the Property to DEVELOPER, whether or not DEVELOPER proposes a project and/or incentives similar to prior discussions, (ii) DEVELOPER shall not be entitled to any payments from CITY, including, without limitation, payment of DEVELOPER's costs (whether incurred to date or in the future) relating to the Property, the Project or Development Agreement negotiations, except as set forth in a binding Development Agreement, such costs being at DEVELOPER's sole expense; and (iii) if a binding Development Agreement is not entered into within the timeline above, CITY may pursue different development options for the Property, including, without limitation, selling to another party.
3. **Termination.** In the event DEVELOPER determines that the proposed Project is not feasible, or otherwise does not desire to move forward, DEVELOPER may terminate this Agreement by providing CITY with written notice thereof. In the event DEVELOPER provides no notice to proceed prior to the expiration of the Planning Option, this Agreement shall automatically terminate. CITY shall have the option to terminate this Agreement, with or without cause, upon at least thirty (30) days' written notice and, if without cause, CITY shall refund any payments made to CITY for the Planning Option. Upon termination or expiration of this Agreement, neither party shall have any further obligations except those which expressly survive.

4. **Miscellaneous.** DEVELOPER shall not have the right to assign this Agreement to any other party without the prior written consent of CITY, which consent shall not be unreasonably withheld. All notices hereunder must be in writing and must be sent either by (i) United States registered or certified mail (postage prepaid), or (ii) by an independent overnight courier service, to the address listed in the intro paragraph above. Under no circumstances shall any council member, officer, official, director, attorney, employee or agent of CITY have any personal liability arising out of this Agreement. No waiver, amendment, or variation in the terms of this Agreement shall be valid unless in writing and signed by both parties. Any approval, consent or waiver by CITY shall not be binding unless/until approved or ratified by the City Council. This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and supersedes all prior negotiations, agreements and undertakings between the parties. This Agreement is intended solely for the benefit of DEVELOPER and CITY, and no third party (other than successors and permitted assigns) shall have any rights or interest in any provision of this Agreement. If any provision of this Agreement is held invalid or unenforceable, the remaining portion thereof and all other provisions of this Agreement will remain valid and in force to the fullest extent by law. This Agreement is governed by Wisconsin law, and any suit arising or relating to this Agreement must be brought in Marathon County, Wisconsin. Time is of the essence with respect to this performance of every provision of this Agreement in which time of performance is a factor. This Agreement does not create the relationship of principal and agent, or of partnership, joint venture, or of any association or relationship between CITY and DEVELOPER. This Agreement may be executed in several counterparts, each of which shall be deemed an original but all of which counterparts collectively shall constitute one instrument representing the agreement among the parties. Facsimile signatures and PDF email signatures shall constitute originals for all purposes.

IN WITNESS WHEREOF, this Agreement has been duly executed as of the date first above written.

DEVELOPER:

MAIN STREET WAUSAU LLC
a Wisconsin limited liability company

By: _____
Name: _____
Title: _____

CITY:

CITY OF WAUSAU,
a Wisconsin municipal corporation

By: _____
Katie Rosenberg, Mayor

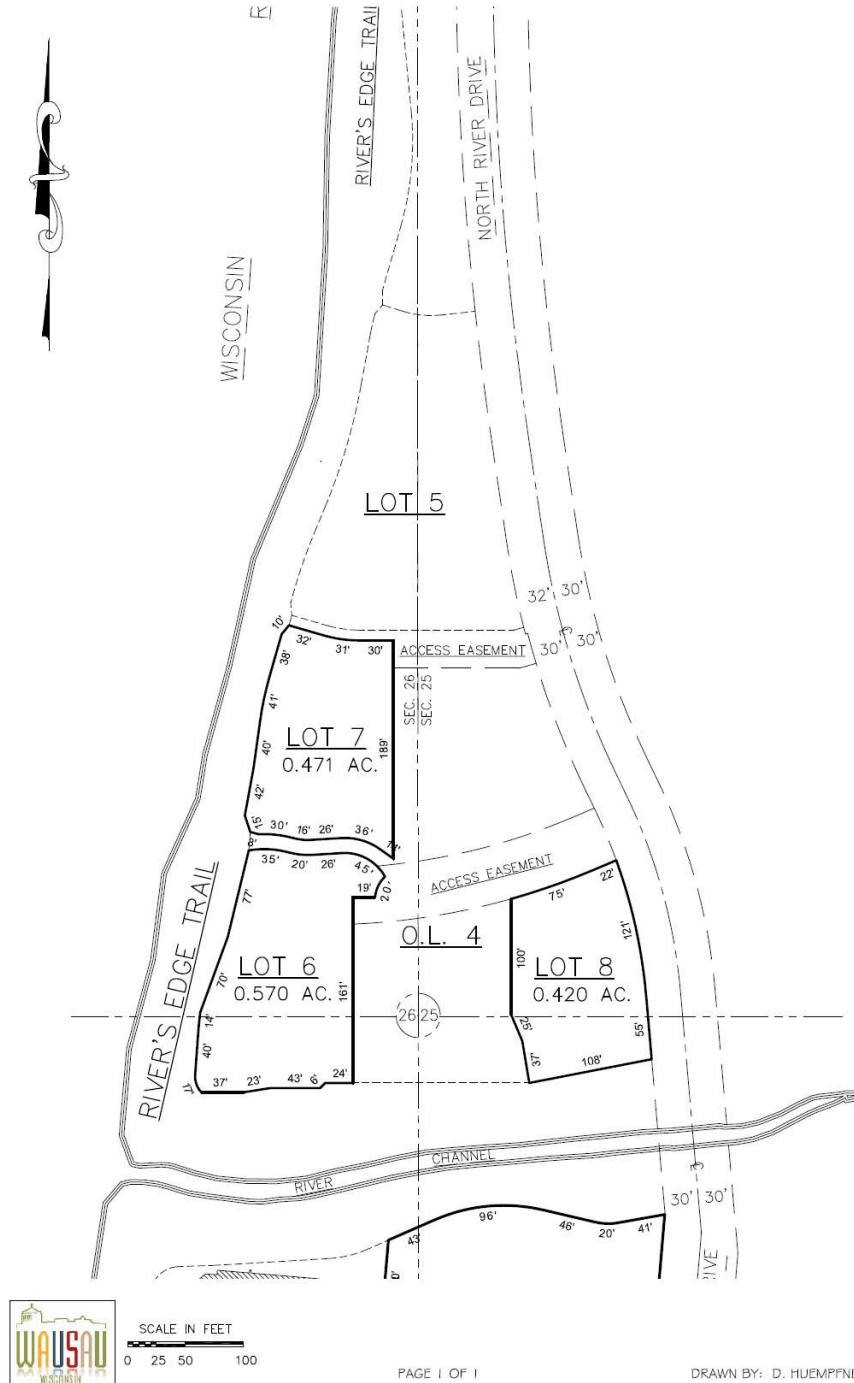
By: _____
Kaitlyn Bernarde, Clerk

EXHIBIT A

DEPICTION OF THE PROPERTY

RIVERFRONT NORTH

PART OF SECTIONS 25 AND 26, TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU,
MARATHON COUNTY, WISCONSIN.



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

RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE

Approving First Amendment to Development Agreement between City of Wausau and Riverlife Condos, LLC (Mitch Viegut)

Committee Action: Approved 4-0

Fiscal Impact:

File Number: 15-0708

Date Introduced: January 11, 2022

FISCAL IMPACT SUMMARY

COSTS	Budget Neutral	Yes ☒ No ☐	
	Included in Budget:	Yes ☐ No ☐	Budget Source:
	One-time Costs:	Yes ☐ No ☐	Amount:
	Recurring Costs:	Yes ☐ No ☐	Amount:
SOURCE	Fee Financed:	Yes ☐ No ☐	Amount:
	Grant Financed:	Yes ☐ No ☐	Amount:
	Debt Financed:	Yes ☐ No ☐	Amount Annual Retirement
	TID Financed:	Yes ☐ No ☐	Amount:
	TID Source: Increment Revenue ☐ Debt ☐ Funds on Hand ☐ Interfund Loan ☐		

RESOLUTION

WHEREAS, effective June 28, 2019, the City of Wausau entered into a Development Agreement (Riverlife – Phase I) with an affiliate of Riverlife Condos, LLC (“Developer”) to construct a residential apartment building on the riverfront property described therein; and

WHEREAS, pursuant to Section 3.1 of the Phase I Agreement, Developer prepared a project proposal to construct a residential multifamily condominium building on the property described therein, which project proposal was approved the City’s Plan Commission, Economic Development Committee and Common Council (“Project”); and

WHEREAS, effective October 30, 2020, the City of Wausau entered into a Development Agreement (Riverlife – Phase II), for the construction of the approved project, to commence May 31, 2021 and be completed by June 30, 2022; and

WHEREAS, unforeseen conditions and various other factors prevented Developer from beginning the Project as planned and as scheduled, and without adjustments to the Project and the Agreement, the Project could not proceed; and

WHEREAS, the City and Developer desire to amend the Agreement to allow the revised Project to proceed; and

WHEREAS, the attached First Amendment to the Phase II Agreement, was recommended for

approval by your Economic Development Committee meeting, at its January 4, 2022, meeting, and revises the Phase II Agreement as follows:

- Adds a commitment of Developer to obtain approval of a soil management plan from the WNDR
- Revises the commencement deadline to April 15, 2022
- Revises the completion deadline to July 15, 2023
- Revises the closing deadline to no less than 10 days prior to the commencement deadline
- Revises the City's commitment to provide two annual installments, with five annual installments
- Provides for easement to City for Water Line for which it is responsible
- Provides for temporary construction easement to Developer
- Removes the parties' obligation to work together to build a performance amphitheater facility adjacent to the property
- Provides for City "Clean-up Grant" to Developer in the amount of \$50,000 to partially reimburse Developer for costs incurred related to the proper removal and disposal of contaminated soils from the Property, pursuant to the approved Soil Management Plan

NOW, THEREFORE, BE IT RESOLVED, by the Common Council that it approves the attached First Amendment to Development Agreement between City of Wausau and Riverlife Condos, LLC, and authorizes appropriate staff to execute such Amendment.

Approved:

Katie Rosenberg, Mayor

MINUTES

Economic Development Committee Meeting

Date / time Tuesday, January 4, 2022, at 5:15 P.M. | *Meeting called to order by* Neil at 5:15 P.M.

In Attendance

Members Present: Tom Neal (C), Sarah Watson, Lisa Rasmussen, Becky McElhaney

Member Absent: Tom Kilian

Others Present: Mayor Rosenberg, Liz Brodek, Attorney Anne Jacobson, Randy Fifrick, MaryAnne Groat (Webex), Kevin Porter, Brit Samuels, Nick Patterson of T Wall Enterprises (Webex), Jerry Pruitt of Badger Liquor (Webex) and Lindsey Pearson of Badger Liquor (Webex)

Agenda Item 3 – Discussion and possible action on approving First Amendment to Riverlife Condos Development Agreement (Atty. Jacobson, Brodek)

Brodek explained this amendment initially came back for amendment of commencement and completion dates. The original dates on the agreement were May 31, 2021, and June 30, 2022, respectively. Brodek explained a few other items were amended in the agreement at that time as well including the number of TIF payments (not amount), the date the city must complete the adjacent parking lot and sidewalks, easements for the water lines, soil management, temporary access to city owned land for construction purposes and a \$50,000 cleanup grant to assist with the removal and disposal of contaminated soils from the property. Brodek stated the amendments were agreed upon after extensive negotiations by both parties, the City and Development Team. Brodek stated both parties are agreeable to the terms and ready to move forward with the agreement.

Rasmussen asked if the \$50,000 grant is an additional investment or if it was still part of the original agreement. Brodek answered it is an additional \$50,000 which assist with the cost of eradication but not satisfy the entire cost the developer will incur.

Rasmussen asked if the payments would now be five payments instead of two. Brodek answered yes.

Rasmussen then asked if the concept of the plan changed and what is happening with the amphitheater.

Brodek answered that the amphitheater was taken out of the agreement because it should come back as a separate proposal/agreement. She explained the language in the original agreement regarding the amphitheater was very vague and didn't contemplate any maintenance of the amphitheater, so it makes more sense for it to come back as a separate agreement if they choose to move forward with it. Brodek also explained there is a specific implementation plan that still needs to come back to planning commission and it is unknown what that looks like at this point.

Rasmussen commented the amphitheater was part of the appeal of the proposal and wants the committee to continue to push for that amenity because it would be an enhancement to the complex and the riverfront in general.

Neal commented that it has been considered part of the vision but considered a separate partnership project the parameters of which have not been outlined. Neal asked Brodek if the footprint of the building still allowed the space for an amphitheater.

Brodek answered yes but the footprint of the building would need to be shifted from the South to the North to accommodate the amphitheater on the South side.

McElhaney asked where the money for the cleanup is coming from.

MaryAnne explained it hasn't been discussed specifically but it would be a TID eligible expense and could consider that as the financing source.

Rasmussen motioned to approve the agreement providing negotiations continue separately regarding the amphitheater and to make sure the building face the correct direction to accommodate it in planning. Seconded by McElhaney. Motion approved 4-0.

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

This FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (this "First Amendment") is entered into as of the ____ day of January, 2022 (the "Effective Date") by and between the CITY OF WAUSAU, a Wisconsin municipal corporation (the "City"), and RIVERLIFE CONDOS, LLC, a Wisconsin limited liability company ("Developer").

RECITALS

- A. The City and Developer entered into a certain DEVELOPMENT AGREEMENT (Riverlife – Phase II) dated as of October 30, 2020 (the "Development Agreement") for the development of certain property as described in more particularity therein (the "Project").
- B. Unforeseen conditions various other factors prevented Developer from beginning the Project as planned and as scheduled, and without adjustments to Project and the Development Agreement the Project cannot proceed.
- C. The City and Developer desire to amend the Development Agreement and proceed with a revised Project, as described herein.

Now, therefore, the City and Developer agree as follows.

AGREEMENT

1. Definitions.

- a. The following changes are incorporated into Section 1. of the Development Agreement:

- 1.h "Closing Deadline" is revised to be

- "no less than 10 days prior to the Project Commencement Deadline"

- 1.z "Project Commencement Deadline" is revised to April 15, 2022.

- 1.aa "Project Completion Deadline" is revised to July 15, 2023.

- b. The following definitions are added to Section 1 of the Development Agreement:

- 1.ii "Water Line" means the water line existing on the Property as of the date hereof, the age of which is unknown, but which may potentially be at or near the end of its useful life.

- 1.mm "Temporary Construction Easement" has the meaning given to it in Section 3.f. below.

2. Commitments of Developer. The following is added as section 2.f. of the Development Agreement:

- f. *Soil Management Plan.* Without limiting the Generality of Section 5.k of this Agreement, with respect to any contaminated soils found in, on, or under the Property, Developer must adequately document (with respect to photos/descriptions/precautions/dates/removal/storage) any contaminated soils which are removed and/or re-located or stored in

different areas of the Property in accordance with a Wisconsin Department of Natural Resources ("WDNR") pre-approved soil management plan (the "Soil Management Plan"). Developer shall develop and obtain approval of the Soil Management Plan prior to Closing.

3. Commitments of the City

- a. In the second sentence of Section 3.b of the Development Agreement, the text "two (2) annual installments" is replaced with "five (5) annual installments".
- b. In the second sentence of Section 3.c of the Development Agreement, the text "Prior to the Project Completion Deadline" is replaced with "Prior to May 31, 2023".
- c. Section 3.d of the Development Agreement is deleted in its entirety and of no further effect.
- d. The following is added as Section 3.e of the Development Agreement:
 - e. *Existing Water Line.* The City shall be responsible for the Water Line and its current condition whether or not there are defects in the Water Line known or unknown. The location of the Water Line shall be properly recorded in the survey prepared by Developer and, at Closing and as a condition of Closing, Developer shall grant the City an easement for the water line, provided the easement also documents the City's responsibility for the repairs, replacement and maintenance of the Water Line. Notwithstanding the foregoing, the Developer shall promptly repair, at its cost, any damage to the Water Line that newly occurs as a direct result of the acts of the Developer or the Developer's general contractor or its subcontractors.
- e. The following is added as Section 3.f of the Development Agreement:
 - f. *Temporary Access Easement.* In addition to the temporary easement granted in Section 3.c above, the City shall also grant to Developer the temporary easement over the City owned Land adjacent to the Property during Construction for the purposes of taking delivery of and temporary storage of building materials other than soils, and other items related to the Project ("Temporary Construction Easement"). As a condition of the Temporary Construction Easement, the Developer shall repair any damage caused by its use of the Temporary Construction Easement area if any; provided, however, that Developer's repair obligation shall not extend to existing damage (whether or not currently known) that is merely discovered by its use of the Temporary Construction Easement, except to the extent such damage is exacerbated due to Developer's negligence or willful misconduct or that of its agents, contractors, subcontractors, invitees or employees. Developer agrees to execute such

documentations as reasonably necessary to terminate the Temporary Construction Easement at the completion of the Project.

- f. The following is added as Section 3.g of the Development Agreement:

g. Clean-Up Grant. Subject to the terms and conditions of this Agreement, the City shall provide a grant to Developer in the amount of Fifty Thousand and 00/100 Dollars (\$50,000.00) (the "Clean-Up Grant") to partially reimburse costs Developer incurs related to the proper removal and disposal of contaminated soils from the Property in strict compliance with the Soil Management Plan; provided, however, that in no event shall the Clean-Up Grant exceed the actual costs incurred by Developer for such removal and disposal of contaminated soils, as documented to the City's reasonable satisfaction. The City may have representatives present to assist in determining what contaminated soils do and do not have to be removed from the Property. Upon Developer's satisfaction of all of the conditions set forth in Section 4.c of this Agreement, the Clean-Up Grant shall be payable to Developer within thirty (30) days after written request from Developer.

4. Other Revisions to the Development Agreement.

- a. In the lead sentence of Section 4.c of the Development Agreement, the text "and the Clean-Up Grant" is inserted after the words "the Tax Increment Grant".
- b. In Section 8 of the Development Agreement, the text "pandemics including but not limited to COVID-19 and its variants," is added between the words "epidemics" and "quarantine restrictions".
- c. The notice contact information for Developer in Section 9.c of the Development Agreement is updated to the following:

Notices to Developer:	with a copy to:
Riverlife Condos LLC	Weld Riley S.C.
517 Franklin Street	Attn: Sheldon Oppermann
Wausau, WI 54403	500 Third Street, Suite 800
Attn: Mitch Viegut	Wausau, WI 54403

- d. Exhibit A of the Development Agreement is hereby replaced with the EXHIBIT A (replacement) attached to this First Amendment.

5. Conditions Precedent. The effectiveness of this First Amendment is conditioned upon the satisfaction of each and every one of the following conditions:

- a. The City, through its City Council, shall have approved or authorized this First Amendment and the transactions contemplated herein, and all the conditions to such approval shall have been satisfied.

- b. Except for defaults that will no longer exist when this First Amendment takes effect, no uncured default of Developer, or event which with the giving of notice or lapse of time or both would be a default of Developer, shall exist under the Development Agreement. Developer shall not be in default (beyond any applicable period of grace) of any of its obligations under any other agreement or instrument with respect to the Project to which Developer is a party or an obligor.
- 6. Reaffirmation of Development Agreement.** The Development Agreement, as modified by this First Amendment, remains in full force and effect, and all terms of the Development Agreement, as modified hereby, are hereby ratified and reaffirmed. The provisions of the Development Agreement not affected by this First Amendment remain in full force and effect.
- 7. Representations and Warranties of Developer.** Developer hereby represents and warrants to the City that:
 - a. After giving effect to this First Amendment, all of the representations and warranties made by Developer in the Development Agreement are true and accurate in all material respects on the Effective Date, and no event of default under the Development Agreement has occurred and is continuing as of the Effective Date.
 - b. The making, execution and delivery of this First Amendment, and performance of and compliance with the terms of the Development Agreement, as amended, have been duly authorized by all necessary action of Developer. This First Amendment is the valid and binding obligation of Developer, enforceable against Developer in accordance with its terms.
- 8. Miscellaneous.** If any provision of this First Amendment or the application thereof to any person or circumstance is or shall be deemed illegal, invalid or unenforceable, the remaining provisions of this First Amendment shall remain in full force and effect and this First Amendment shall be interpreted as if such illegal, invalid or unenforceable provision did not exist. This First Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. The parties agree that faxed and electronically scanned signatures shall be binding on all parties. This First Amendment shall be governed in all respects by the laws of the State of Wisconsin.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the Effective Date first printed above.

DEVELOPER:

RIVERLIFE CONDOS, LLC

By: _____

Name: Mitch Viegut

Title: Managing Member

CITY:

CITY OF WAUSAU

By: _____

Name: Katie Rosenberg

Title: Mayor

Attest: _____

Name: Kaitlyn Bernarde

Title: Clerk

EXHIBIT A (replacement)

LEGAL DESCRIPTION OF THE PROPERTY

Lot 1 of Certified Survey Map No. 19069 recorded in the Office of Register of Deeds for Marathon County as Document No. 1845587, being part of the Northwest 1/4 of the Southwest ¼, Section 25, and part of Government Lot 6, Section 26, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin.

PIN: [_____]

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

RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE

Approving Sale of 9913/9915 Innovation Way in Business Campus to Badger Liquor Co. Inc.

Committee Action: Approved 4-0

Fiscal Impact: Land Sale of \$59,162.50

File Number: 22-0106

Date Introduced: January 11, 2022

FISCAL IMPACT SUMMARY

COSTS	Budget Neutral	Yes	☒	No	☐	
	Included in Budget:	Yes	☐	No	☐	Budget Source:
	One-time Costs:	Yes	☐	No	☐	Amount:
	Recurring Costs:	Yes	☐	No	☐	Amount:
SOURCE	Fee Financed:	Yes	☐	No	☐	Amount:
	Grant Financed:	Yes	☐	No	☐	Amount:
	Debt Financed:	Yes	☐	No	☐	Amount Annual Retirement
	TID Financed:	Yes	☐	No	☐	Amount:
	TID Source: Increment Revenue ☐ Debt ☐ Funds on Hand ☐ Interfund Loan ☐					

RESOLUTION

WHEREAS, at its January 4, 2022, meeting, the Economic Development Committee entertained a request from Badger Liquor Co. Inc. (“Badger”) to sell it a 4.733 acre parcel of City-owned property in the business campus for \$12,500 per acre, for a total of \$59,162.50; and

WHEREAS, Badger intends to consolidate their Elcho and Mosinee cross-docks into a single cross-dock in Wausau and construct a building consisting of 22,538 square feet, worth an estimated improvement value of \$6.5 million, without city assistance, from which they will conduct distribution of wine and spirits throughout the State of Wisconsin, maintaining their current employees; and

WHEREAS, a public hearing was held by the Plan Commission on December 21, 2021, on the approval of a conditional use at 9913/9915 Innovation Way to allow for a distribution center, in a MI, Medium Industrial Zoning District, which will be followed by discussion and action at a future Plan Commission meeting.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wausau that a portion of 9913/9915 Innovation Way in the Business Campus shall be sold to Badger Liquor Co. Inc., consisting of 4.733 acres, as depicted in the attached Preliminary Certified Survey Map, for \$12,500 per acre, for a total sale price of \$59,162.50, and shall be subject to the Standard Deed Restrictions applying to the Business Campus, and that the proper staff is authorized to execute such documents as are necessary to effect the sale.

Approved:

Katie Rosenberg, Mayor

MINUTES

Economic Development Committee Meeting

Date / time Tuesday, January 4, 2022, at 5:15 P.M. | *Meeting called to order by* Neil at 5:15 P.M.

In Attendance

Members Present: Tom Neal (C), Sarah Watson, Lisa Rasmussen, Becky McElhaney

Member Absent: Tom Kilian

Others Present: Mayor Rosenberg, Liz Brodek, Attorney Anne Jacobson, Randy Fifrick, MaryAnne Groat (Webex), Kevin Porter, Brit Samuels, Nick Patterson of T Wall Enterprises (Webex), Jerry Pruitt of Badger Liquor (Webex) and Lindsey Pearson of Badger Liquor (Webex)

Agenda Item 4 – Discussion and possible action on approving sale of 9913/9915 Innovation Way in Business

Fifrick presented Badger Liquors request to purchase a 4.733-acre parcel of city-owned property in the Western section of the Wausau Business Campus. He stated Badger Liquor is offering \$12,500 per acre for a total of \$59,162.50. They are proposing the development of a 22,538 sq. ft. transfer depot and distribution center. Badger Liquor is not requesting any city assistance and the development is estimated to have an improvement value of \$6.5 million for the new building. They also expect to hire additional employees in the future. Construction is expected to begin in Spring of 2022 and occupancy by September 2022.

Watson motioned to approve seconded by McElhaney. Motion approved 4-0.

To: Economic Development Committee
From: Randy Fifrick, Economic Development Manager
Date: January 4, 2022
Re: Badger Liquor Request to Purchase City Property



Badger Liquor Company, Inc. is requesting City approval for the sale of a 4.733 acre parcel of City-owned property in the western section of the Wausau Business Campus. Badger Liquor is proposing the development of a 22,538 square foot transfer depot and distribution center at the site. Their proposed purchase price for the land is \$12,500 per acre or \$59,162.50 total. They are not requesting any incentives or City assistance. The project is estimated to have an improvement value of \$6.5 million for the new building.

City Staff has worked with Badger Liquor representatives to carve out a 4.733 acre parcel from a larger existing 26 acre on the south side of Innovation Way. The proposed CSM is included in the packet materials for today. The land division will allow for the remainder of the City-owned land to be developed by another business or business.

The proposed project consists of a new distribution center, which consolidates two existing regional cross-docks, to include three exterior semi-truck/trailer receiving docks, 17 interior docks for delivery trucks, and an administrative office. The building will house local delivery trucks and product that will be transferred into the facility on a nightly basis (Mon - Fri) and loaded onto local route trucks. No product will be stored on-site long term, and no manufacturing will take place in the building.

Exterior façade of the building will consist of insulated precast concrete wall panels painted in a series of colors to articulate the architectural character of the building. The entrance will have an aluminum storefront and aluminum windows which will provide daylight to the office area and distribution depot. A canopy constructed of steel will wrap the office area and main entrance to provide weather protection of the accessible ramp. The overhead steel doors will have vision lights in them and will be painted to complement the building.

Summary

- Size of Parcel: 4.733 Acres
- Requested Sale Price: \$12,500 per acre (\$59,162.50 total)
- Number employees: 13 Initially, 20 with Future Growth
- Size of building to be constructed: 22,538 sq ft (see attached rendering)
- Estimated Improvement Value: \$6.5 million
- Land Use: Distribution Center
- Timeline: Construction Commencement in Spring 2022 and Occupancy by September 2022

Staff recommends the City approve the sale of 4.733 acres of land in the Business Campus to Badger Liquor for the construction of a distribution center at a cost of \$59,162.50.

Wausau Land Purchase Request

Badger Liquor overview and planned use of this facility:

Badger Liquor Company, Inc is a 4th generation family owned and operated business serving Wisconsin since 1935. Headquartered in Fond du Lac, Wisconsin Badger services the Alcoholic Beverage Industry through the distribution of Wine and Spirits across the state. Badger is the largest Wine and Spirits provider in the state of Wisconsin and only services the Wisconsin market.

Badger is in the process of introducing new technologies and processes to better service our customers and to improve processes for our employees. As a result, we will be consolidating our Elcho and Mosinee cross-docks into a single cross-dock which will still service these existing markets. We will build this consolidated cross-dock in the Wausau area and our plan is to retain our existing drivers and have them work out of this new facility.

Badger Liquor Company, Inc. is requesting City approval for development of a 22,538 square foot distribution facility to be located on an existing 4.733-acre vacant parcel of property in the western section of the Wausau Business Campus. Purchase price for the land will be \$12,500 per acre. We are not requesting and TID assistance.

Operational overview: Our Transfer Drivers (semi-truck/trailer bringing product to the facility for transfer to delivery vehicles) will be entering and leaving the site [two (2) at any given time] Tuesday through Friday between the hours of 12:00 AM and 7:00 AM. The Driver Lead is at the site from 5:00 AM to 3:00 PM Tuesday through Friday to supervise the site and drive on an as-needed basis. There will be eleven (11) Delivery Drivers and two (2) Driver Leads Tuesday through Friday from 5:00 AM to 3:00 PM; total employee count for this facility (all shifts is 13).

The proposed project consists of a new distribution center to include three (3) exterior semi-truck/trailer receiving docks, 17 interior docks for delivery trucks, and an administrative office. Surface parking will be provided in compliance with Village code requirements.

Exterior façade of the building consists of insulated precast concrete wall panels painted in a series of colors to articulate the architectural character of the building. The entrance will be an aluminum storefront and aluminum windows will be used to provide daylight to the office area and distribution depot. A canopy constructed of steel will wrap the office area and main entrance to provide weather protection of the accessible ramp. The overhead steel doors will have vision lights in them and will be painted to compliment the building.

Wastewater generated by the proposed use will be normal domestic wastewater, snowmelt and/or rainwater runoff from trucks, and truck/trailer wash water; the estimated daily wastewater flow based upon the State Code (DSPS 383.43) is approximately 610 gallons of wastewater per day. Water consumption is anticipated to be more during the summer months due to exterior water usage for landscape watering.



We anticipate sanitary sewer as well as municipal water is currently available at these sites. The entire building will be sprinkled, and site hydrants will be provided in compliance with applicable fire protection codes. No environmental or operational hazards or nuisances to nearby neighbors are anticipated.

Developer/Owner: Badger Liquor Company, Inc

Legal Name of Purchasing Entity and address: Badger Liquor Co., Inc. 850 S. Morris St.
Fond du Lac, WI 54935

Name and title of authorized signatory: Lindsey Pearson, Chief Operating Officer

Type of business for proposed site: Transfer depot / Distribution Center

Number of initial employees: 13

Long-term growth potential of the business in terms of employees and building facilities:
Employee growth to 20 and building plan takes into account future growth

Size of building to be constructed: 22,500 sq ft (see attached rendering)

Type of manufacturing or processing operations: Building will house local delivery trucks and product will be transferred into facility nightly (Mon thru Fri) and loaded onto local route trucks. No product will be stored on-site and no manufacturing will take place.

Any Wisconsin Department of Natural Resources permits that are needed: Not that we are aware of

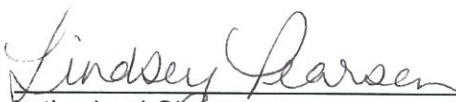
Resources permits that are needed: None that we are aware of

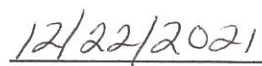
The type of building to be constructed and its proposed design, construction materials and estimated value: Insulated pre-cast exterior with overhead garage doors. Estimated value without land \$6.5mln.

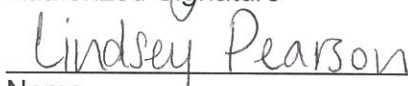
Any unique needs of the firm: Class A&B truck access

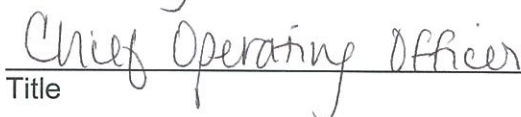
Timeline: We plan to break ground in February 2022 and are planning on occupancy by September 2022.

Badger Liquor Co., Inc.


Authorized Signature


Date

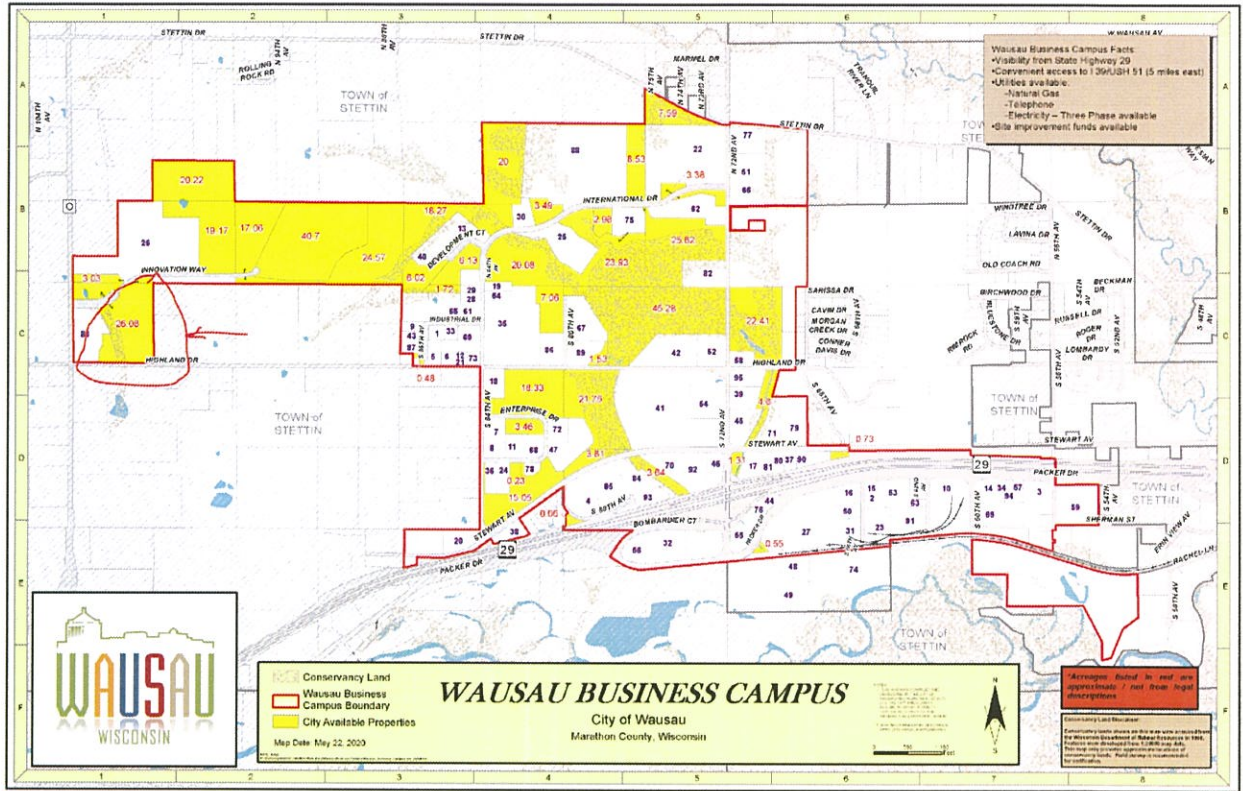

Name


Title

Facility Renderings



**Parcel of Interest
(Circled in Red Below)**

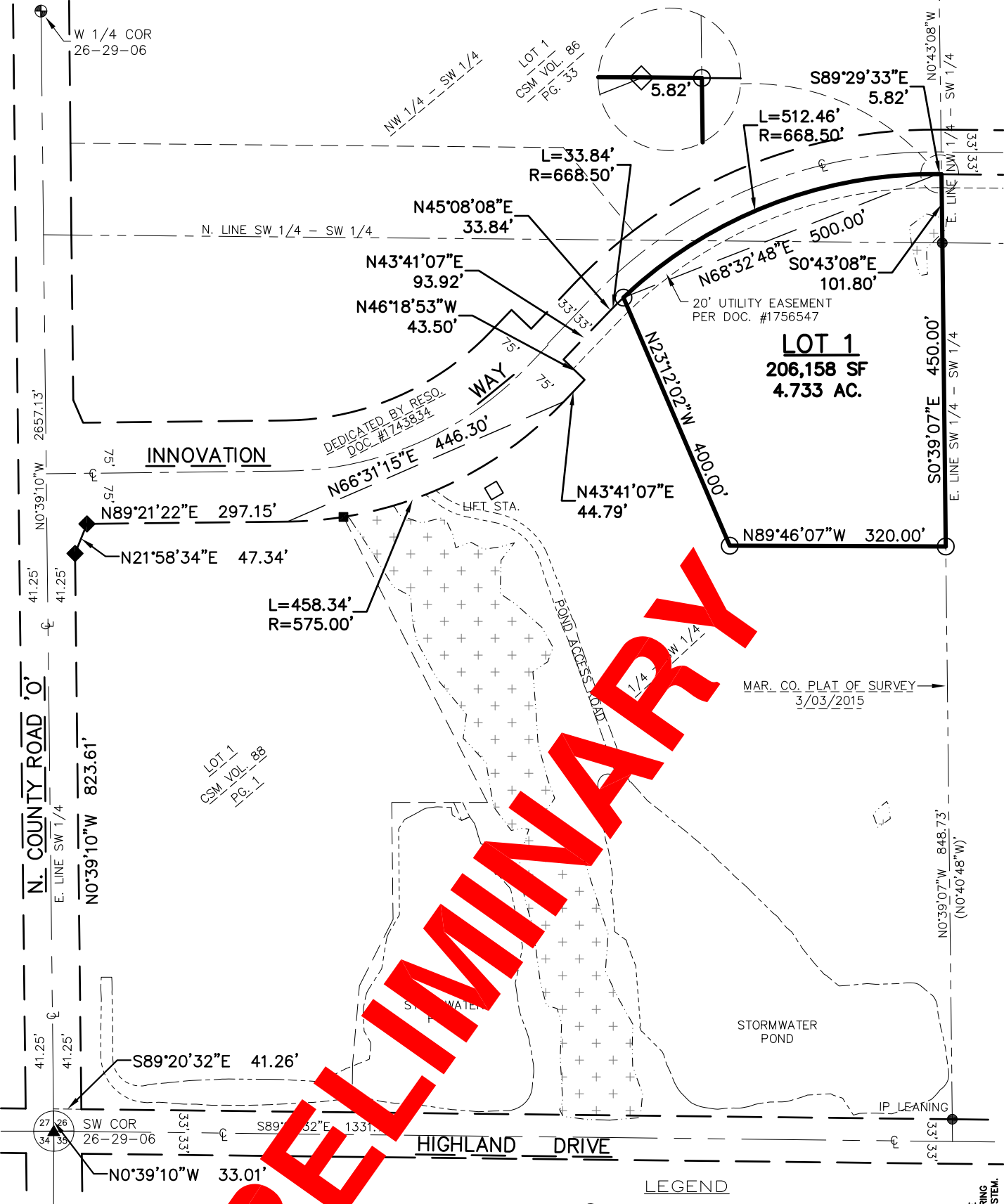


MAP No.

CERTIFIED SURVEY MAP

PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 26, TOWNSHIP 29 NORTH, RANGE 6 EAST, CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN.

FOR
CITY OF WAUSAU



PRELIMINARY



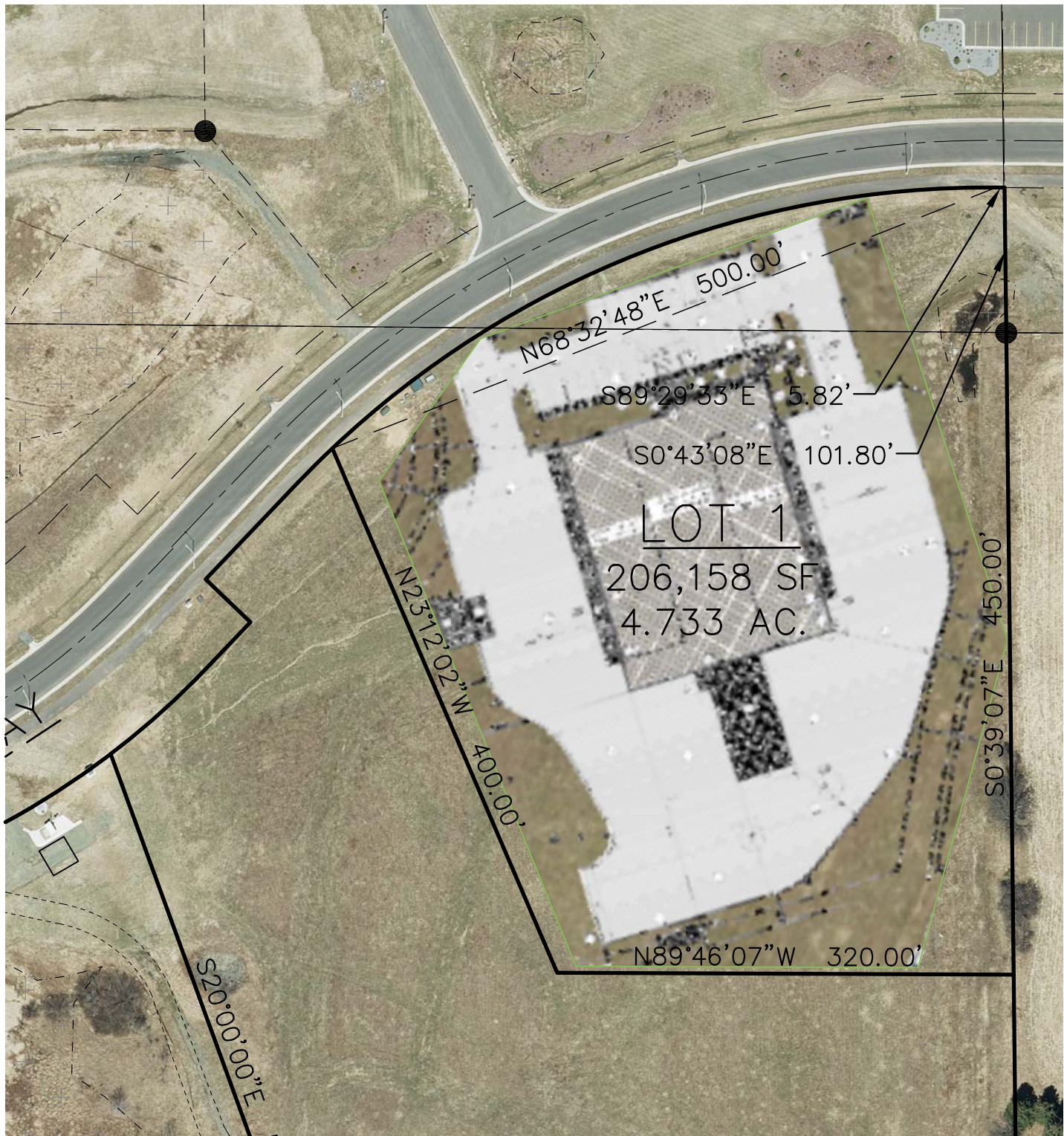
LEGEND

- 3/4" x 18" IRON REBAR (1.50 LBS/FT) SET
- ◇ 1 1/4" x 18" IRON REBAR (3.65 LBS/FT) SET
- ⊕ BERTSEN STEEL NAIL MARKER FOUND
- 1" (1.3" O.D.) IRON PIPE FOUND
- 3/4" IRON ROD FOUND
- ◆ 1 1/4" IRON ROD FOUND
- ▲ RR SPIKE FOUND
- () RECORDED AS
- WETLANDS AS DETERMINED ON OCTOBER 3-6, 2016 BY WETLANDS & WATERWAYS, LLC.

SCALE IN FEET

0 50 100 200

NORTH REFERENCED TO THE WEST LINE OF THE SW 1/4, SECTION 26-29-07 BEARING N0°39'10"W, MARATHON CO. COORDINATE SYSTEM.



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

ORDINANCE OF THE COMMON COUNCIL			
Amending Chapter 2.16, Standing Rules of the Common Council Rule 2 – Quorum Required and Rule 4 – Absence of Members			
Committee Action: Pending		Ordinance Number:	
Fiscal Impact:			
File Number:	02-0432	Date Introduced:	January 11, 2022

AN ORDINANCE

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

Section 1. That Chapter 2.16, Standing Rules of the Common Council, is hereby amended to read as follows:

Add ()

Chapter 2.16

STANDING RULES OF THE COMMON COUNCIL

...

RULE 2 – QUORUM REQUIRED

A quorum is necessary for the transaction of any council business. Two-thirds (2/3) of all members of the council, excluding the mayor, shall constitute a quorum. Vacant seats shall be counted to determine whether or not a quorum is present. Members may appear in person or by any method of remote technology, including by telephone or videoconference, for any agenda item in which the discussion and/or action will occur in open session. A quorum may be established through participation by any method of remote technology and members shall be allowed to vote by telephone by roll call vote, for any agenda item in which the discussion and/or action will occur in open session. Members shall not be counted for purposes of establishing a quorum, or be allowed to vote, on any matter which is held in closed session, unless such member is present for the discussion and action of the closed session matter in person.

Section 2. That Rule 4, Absence of Members, is hereby amended to read as follows:

RULE 4 – ABSENCE OF MEMBERS

If an Alder or Committee Member for any reason cannot attend either in person or by telephonic or videoconference means, a regularly scheduled meeting, he or she shall notify the City Clerk, before the meeting in question, of his or her anticipated absence. The Alder's or Committee Member's absence shall be entered into the Council's record.

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 on the day after its publication.

Adopted:
Approved:
Published:
Attest:

Approved:

Katie Rosenberg, Mayor

Attest:

Kaitlyn Bernarde, City Clerk

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

RESOLUTION OF THE COMMON COUNCIL

Amending rules relating to meetings of governmental bodies

Committee Action: Pending

Fiscal Impact:

File Number: 02-0432

Date Introduced: January 11, 2022

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☒ No ☐	
	<i>Included in Budget:</i>	Yes ☐ No ☐	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes ☐ No ☐	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes ☐ No ☐	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> ☐ <i>Debt</i> ☐ <i>Funds on Hand</i> ☐ <i>Interfund Loan</i> ☐		

RESOLUTION

WHEREAS, the Common Council, previously amended, by ordinance, its Standing Council Rules 2 and 4, on March 18, 2020, to allow for Common Council and Standing Committee members to appear by any method of remote technology, which amendment was renewed on June 9, 2020, and September 22, 2020, effective through December 31, 2020, and will consider once again amending the ordinance in the same manner, on January 11, 2022; and

WHEREAS, on April 13, 2021, the Common Council failed to approve the extension of such amendments, thereby returning to the requirement that 2/3's of all members of the council be present to constitute a quorum for the transaction of any council business; and

WHEREAS, on April 27, 2021, the Common Council established rules relating to meetings of all committees, commissions and boards to take effect beginning May 3, 2021, and remain in effect until amended or terminated by the Common Council; and

WHEREAS, on July 13, 2021, the Common Council amended Chapter 2.16.010 Generally, to apply the standing rules of the Common Council to its Standing Committees; it further, by separate Resolution, discontinued the Rule 5 (April 27, 2021 Resolution), requiring a dial-in option be made available and noticed on each agenda of every government meeting, for the purpose of allowing members of the public to attend in person or monitor the meetings by telephone; it further, by separate Resolution, amended Rule 2 (April 27, 2021 Resolution) to read, "City employees participating in meetings shall appear in person, unless excused or permitted to appear virtually, by the Presiding Officer or Chair."; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) is expecting a surge of COVID-19 cases in the coming days to weeks, due to the potential rapid spread of the Omicron variant which has been detected in most states and is rapidly increasing the proportion of COVID-19 cases it is causing, as of December 20, 2021; and

WHEREAS, inasmuch as it is yet unknown how easily Omicron spreads compared to Delta, and CDC expects that anyone with Omicron infection can spread the virus to others, even if vaccinated or asymptomatic -- in addition to the CDC recommendation that persons wear a mask in public indoor settings in areas of substantial or high transmission, regardless of vaccination status, it is in the interests of public health and its employees and elected officials, that the Council once again permit attendance at the meetings of all its governmental bodies by any method of remote technology and clarify its rules regarding the same.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council that all previously approved and amended rules are superseded by the following rules which shall apply to the conduct of governmental bodies of the City, as that term is defined in Wis. Stats. §18.85(1):

1. All voting members of committees, commissions and boards, other than the Standing Committees and sub committees that are regulated by ordinance, may appear in person or by any method of remote technology, including by telephone or videoconference, for any agenda item in which the discussion and/or action will occur in open session. A quorum may be established through participation by any method of remote technology and members shall be allowed to vote by telephone by roll call vote, for any agenda item in which the discussion and/or action will occur in open session. Members shall not be counted for purposes of establishing a quorum, or be allowed to vote, on any matter which is held in closed session, unless such member is present for the discussion and action of the closed session matter in person.
2. City employees participating in meetings shall appear in person, unless excused or permitted to appear virtually, by the Presiding Officer or Chair.
3. All committees, commissions and boards shall allow only those members personally present to attend closed sessions.
4. Those staff and Chairs responsible for the creation and noticing of agendas shall ensure that a dial-in option is made available and noticed on each agenda of every government meeting, for the purpose of allowing members of the public to attend in person or monitor the meetings by telephone.
5. These rules shall take effect and apply to all meetings beginning January 12, 2022 and shall remain in effect until amended or terminated by the Common Council.

Approved:

Katie Rosenberg, Mayor

RESOLUTION OF THE FINANCE COMMITTEE

Authorizing the Wausau Fire Department to submit an application to the US Department of Homeland Security (FEMA) for an Assistance to Firefighters Grant Program - Staffing for Adequate Fire and Emergency Response (SAFER) grant for 9 additional firefighters/paramedics

Committee Action: Pending

Fiscal Impact: Approximately \$2,744,000 over 3 years

File Number: 16-1110

Date Introduced: January 11, 2022

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☐ No ☒	
	<i>Included in Budget:</i>	Yes ☐ No ☒	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes ☐ No ☒	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes ☒ No ☐	<i>Amount: \$908,000 annually plus CPI</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐ No ☒	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☒ No ☐	<i>Amount: \$2,744,000 approximately</i>
	<i>Debt Financed:</i>	Yes ☐ No ☒	<i>Amount Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☒	<i>Amount:</i>
	<i>TID Source: Increment Revenue ☐ Debt ☐ Funds on Hand ☐ Interfund Loan ☐</i>		

RESOLUTION

WHEREAS, the City of Wausau Fire Department recommends the City apply for a SAFER grant designed to increase the number of fire and emergency response personnel; and

WHEREAS, the grant is a competitive process and awards should be announced in the fall of 2022; and

WHEREAS, the Fire Department has documented and justified the need for 12 additional personnel due to call volume increases and stagnant staffing levels; and

WHEREAS, on November 15, 2021 the Public Health and Safety Committee recommended hiring at least nine (9) additional firefighters/paramedics; and

WHEREAS, on December 13, 2021 the Human Resources Committee recommended hiring twelve (12) additional firefighters/paramedics; and

WHEREAS, the SAFER grant provides 100% funding of the positions for a 3 year period; and

WHEREAS, the grant application closes February 4, 2022;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Wausau, that the Fire Department and staff is authorized to apply for a US Department of Homeland Security (FEMA) for a Assistance to Firefighters Grant Program for Staffing for Adequate Fire and Emergency Response (SAFER) grant for 9 additional firefighters/paramedics.

Approved:

Katie Rosenberg, Mayor



From: Robert Barteck, Fire Chief
To: Finance Committee
Date: January 6, 2022
Subject: Hiring additional Firefighter/Paramedics proposal

PURPOSE:

To provide the Finance Committee with viable, realistic options for funding twelve additional firefighter/paramedic positions within the Wausau Fire Department.

This document contains all information shared with previous committees to assist in making informed decisions about the request for additional staffing.

COMMITTEE ACTIONS TAKEN THUS FAR:

November 15, 2021, the Public Health and Safety Committee examined safety aspects of increased call volume vs. staffing levels. The Committee then recommended hiring at least 9 additional firefighter/paramedics.

December 13, 2021, the Human Resources Committee examined the deployment options to increase staffing on each of the City's three engine companies. As a result, the Committee recommended hiring 12 firefighter/paramedics. The increase from 9 to 12 will allow an additional paid time off slot on each crew. This action will help control overtime and allow employees adequate time in the calendar to use paid time off.

RECOMMENDATION:

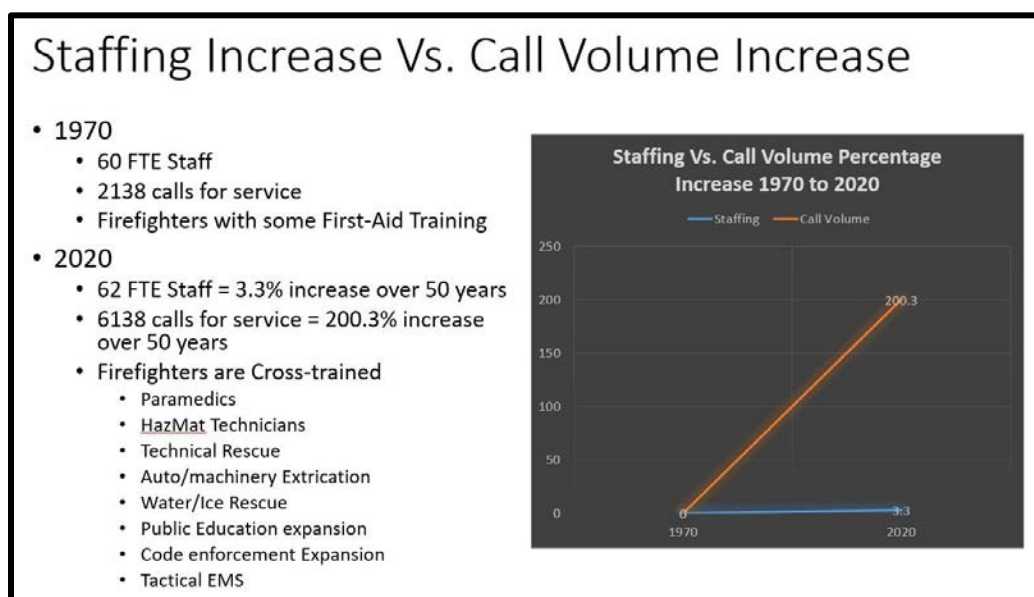
It is respectfully asked that the Finance Committee recommend a plan for hiring 12 additional firefighter/paramedics over the next two years.

FACTS AND CONSIDERATIONS:

The Wausau Fire Department was established in 1869. Over the first 100 years of the department's existence, the department steadily grew in staffing, apparatus, and stations to meet the growing community's needs. Unfortunately, that steady growth ended in 1970, and the department has stagnated in staffing, apparatus, and infrastructure while at the same time continuing to grow in responsibility, skill sets, and programs delivered to meet community needs.

In 1970 the Wausau Fire Department had 60 full-time firefighters. Today, 51 years later, the department has 61 full-time sworn firefighter/paramedics and one administrative assistant for a total of 62. In 1970 the department responded to 2038 calls for service. In 2020 the department responded to 6120 calls for service. This represents a 2% growth in staffing levels despite a 200% growth in call volume over the 51 years. In addition, the Fire Department's responsibilities have drastically increased to encompass Paramedic Level EMS, Hazardous Materials Emergency Response, Water/Ice Rescue, a large variety of Technical Rescue disciplines, and progressive Fire Prevention/Code Enforcement. The department is drastically different in size of responsibility and scope of work than it was in 1970.

Below is a chart detailing the small amount of staffing increase versus the large increase in call volume from 1970 to 2020.



The department uses a hybrid cross-staffing system of response units to meet current call volume demands. During low-volume periods, the cross-staffing system can meet the demand for a small number of low acuity calls. However, when the department receives multiple concurrent requests or a single high acuity call, the cross-staffing system leaves the department understaffed and ill-prepared to meet the community's needs. This forces the department to either stack calls, leaving community members waiting for their emergency response, or lean on mutual aid from surrounding fire and EMS agencies.

Cross-staffing is a term used to describe when personnel is shared between multiple response units. The Department cross-staffs all three engines, ladder truck, rescue truck, and the fourth out ambulance. Paramedics staff the ambulances while simultaneously acting as the firefighters on the engine companies. Example: Station Two is staffed by four firefighters each shift. The lieutenant and engineer are assigned to Engine 2, and two firefighter/paramedics are assigned to Med 2. When a fire call comes in for Station Two's district, both Engine 2 and Med 2 respond to form a four-person company. The problem with cross-staffing occurs when the ambulance is engaged in a medical call leaving the engine with only two firefighters to mitigate the incident.

The drastic rise in medical calls leaves at least one or more of the City's ambulances 43% of the day.

The COVID-19 Pandemic has also contributed and has stretched the department's resources and further exacerbated staffing problems. For safety, Wausau Paramedics are now wearing more levels of PPE and must spend a longer time decontaminating ambulances between patients. During high call volume times, this can delay responses.

Call Volume continues to trend upward. In 2021 the department had its highest call volume in history. The department answered 6490 calls for service. This trend of climbing requests for service is expected to continue into perpetuity. The chart below highlights annual call volume.

Historical Call Volume by Month and Year				
	2021	2020	2019	2018
January	502	522	529	503
February	456	488	509	509
March	497	476	582	510
April	503	371	550	488
May	556	460	529	589
June	583	530	503	527
July	587	545	616	500
August	577	507	508	527
September	525	537	546	486
October	552	622	533	516
November	562	509	531	491
December	590	553	551	574
Total	6490	6120	6487	6220

DISCUSSION:

Increasing call volume and stagnant staff levels directly correlate to the survivability of individuals in the community experiencing a fire or medical emergency. The problem has reached critical levels within the Wausau Fire Department and is a direct threat to public safety.

The U.S. Fire Service uses three ways to measure performance. 1) Resource Reliability, 2) Department Capacity, and 3) Operational Effectiveness.

- 1) Resource Reliability of the Wausau Fire Department has long exceeded benchmarks used for evaluating the availability of adequately staffed Engine Companies. For example, in 2020, 43% of the time, one or more of the department's ambulances was engaged in a medical call, leaving the correlating engine company without firefighters. This is because

the department uses a cross-staffed configuration that utilizes the two firefighter/paramedics from the City's three ambulances to serve as the Engine company firefighters. As a result, the department frequently has engines arriving with only a Lieutenant and Engineer and no firefighters. This problem is exacerbated in the City's outer regions where Engine Two may have to wait for other fire station crews to arrive before gaining the number of firefighters needed to begin fire ground operations.

- 2) The Department's Capacity for low volumes of minor acuity incidents is good. When the department receives multiple concurrent or a single high acuity call, the capacity dwindles quickly. Adding three firefighter/paramedics to each crew will drastically improve the problem with concurrent calls and increase the engine company capacity for both fire and EMS calls. The added staffing will increase the ability of deployed units to manage an incident without having to call for additional resources. This increased capacity of engine companies will help alleviate problems that occur with concurrent calls. An engine company equipped with three can put the Lieutenant and the Firefighter/Paramedic into interior fire operations immediately upon the arrival of the second due engine. This creates two teams of two firefighters each. Currently, when the first engine arrives, they must wait for multiple other engines to arrive to piece together an interior crew and exterior
- 3) The Operational Effectiveness of two firefighter engine companies has been thoroughly researched and proven to be less effective than three and four firefighter companies. In 2010 the National Institute of Occupational Safety and Health (NIOSH) conducted a research study on the effectiveness of firefighting operations as related to staffing.

“The fire modeling showed clearly that two-person crews cannot complete essential fireground tasks in time to rescue occupants without subjecting either firefighters or occupants to an increasingly hazardous atmosphere. Even for a slow-growth rate fire, the fractional effective dose (FED) was approaching the level at which sensitive populations, such as children and the elderly are threatened. For a medium-growth rate fire with two-person crews, the FED was far above that threshold and approached the level affecting the median sensitivity in general population. For a fast-growth rate fire, the FED was well above the median level at which 50 % of the general population would be incapacitated. Larger crews responding to slow-growth rate fires can rescue most occupants prior to incapacitation along with early-arriving larger crews responding to medium-growth rate fires. The result for late-arriving (two minutes later than early-arriving) larger crews may result in a threat to sensitive populations for medium-growth rate fires.” The new sentence is consistent with our previous description for two-person crews where we identify a threat to sensitive populations” (NIST 2010 page 52)

Outside a research study like NIST performs, it is challenging to quantify operational effectiveness into evidence-based data. We compared the WFD to the NIST 2010 studies as a practical benchmark and found mixed results based on concurrent call volume. With the WFD using cross-staffed firefighter/paramedics between the ambulance and the engine company, the response depends on if the ambulance crew is available when a fire call comes in. If the ambulance is in the station or district, they can meet the two firefighters assigned to the engine and form a four-person entry team.

Benchmark Analysis:

Community leaders and Fire Chiefs have many tools for measuring their community's fire department against national standards and benchmarks to help them make decisions. Benchmarks used for comparison and analysis are National Fire Protection Agency (NFPA) standards, the Insurance Service Office (ISO), and National Institute for Occupational Safety and Health (NIOSH).

In a publication by the National Fire Protection Agency (NFPA) that analyzed Fire Service Deployment:

“Interior firefighting operations not be conducted without an adequate number of qualified firefighters operating in companies under the supervision of company officers. It is recommended that a minimum acceptable fire company staffing level should be four members responding on or arriving with each engine and each ladder company responding to any type of fire. The minimum acceptable staffing level for companies responding in high-risk areas should be five members responding or arriving with each engine company and six members responding or arriving with each ladder company. These recommendations are based on experience derived from actual fires and in-depth fire simulations and are the result of critical and objective evaluation of fire company effectiveness. These studies indicate significant reductions in performance and safety where crews have fewer member than the above recommendations. Overall, five member crews were found to provide a more coordinated approach for search and rescue and fire-suppression tasks. During actual emergencies, the effectiveness of companies can become critical to the safety and health of firefighters. Potentially fatal work environments can be created very rapidly in many fire situations. The training and skills of companies can make a difference in the need for additional personnel and in reducing the exposure to safety and health risks” (NFPA. 2013, p.48).

NFPA 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments specifies the number of on-duty fire suppression personnel sufficient to carry out the necessary firefighting task operations given expected firefighting conditions in various hazard level occupancies. Though 1710 specifically addresses low hazard environments, it also mentions medium and high hazard levels as well. Relevant excerpts from the 1710 Standard:

5.2.2.2.1 The fire department shall identify minimum company staffing levels as necessary to meet the deployment criteria required in

5.2.4 To ensure that a sufficient number of members are assigned, on duty, and available to safely and effectively respond with each company.

5.2.3 Operating Units. Fire company staffing requirements shall be based on minimum levels necessary for safe, effective, and efficient emergency operations.

5.2.3.1 Fire companies whose primary functions are to pump and deliver water and perform basic firefighting at fires, including search and rescue, shall be known as engine companies.

5.2.3.1.1 These companies shall be staffed with a minimum of four on-duty personnel.

5.2.3.1.2 In jurisdictions with tactical hazards, high-hazard occupancies, high incident frequencies, geographical restrictions, or other pertinent factors identified by the AHJ, these companies shall be staffed with a minimum of five or six on-duty members.

The chart below maps out the NFPA 1710 standard in comparison to the staffing levels of the Wausau Fire Department

Fire, EMS, and Rescue Apparatus	Wausau FD Minimum Staffing	Wausau FD Desired Staffing	NFPA 1710 Low-Risk Recommendation	NFPA 1710 High-Risk Recommendation
Station One				
Car Two - Battalion Chief	1	1	1	1
Engine One	2	3	4	5
Med One	2	2	2	2
Truck One	Cross Staffed with a crew of 2	Cross Staffed with a crew of 2	4	5
Rescue One			2	2
Med 5 (fourth out Med Unit)			No specific recommendation	No specific recommendation
Boat			No specific recommendation	No specific recommendation
Station Two				
Engine Two	2	3	4	5
Med Two	2	2	2	2
HazMat Unit	On-Call, no assigned staffing	On-Call, no assigned staffing	No specific recommendation	No specific recommendation
Station Three				
Engine Three	2	3	4	5
Med Three	2	2	2	2
Daily Minimum:	15	18	25	29

Insurance Services Office:

In 2015 the WFD was evaluated by the Insurance Services Office (ISO). ISO collects and evaluates information from communities in the United States on their structure fire suppression capabilities. The information derived from the evaluation is then compared to the ISO Fire Suppression Rating Schedule and then assigned the department was given a Public Protection Classification (PPC) 2 rating. The PPC is then used by insurance companies for marketing and underwriting and to help establish fair premiums for homeowners and commercial fire insurance. The Wausau Fire Department received a PPC of 2 out of 10, with 1 being the highest rating achievable. The department's goal is to reach an ISO 1 status, but with current staffing shortfalls and aging infra-structure, that rating is unachievable. The department expects to have another site visit from ISO in the spring of 2022.

An ISO 1 rating would provide the highest cost savings to every homeowner, business owner, and industry in the form of reduced insurance costs. Below is the summary of the department's last ISO review. Note line 571 Credit for Company Personnel.

Summary of PPC Review for Wausau		
FSRS Item	Earned Credit	Credit Available
Emergency Communications		
414. Credit for Emergency Reporting	3.00	3
422. Credit for Telecommunicators	4.00	4
432. Credit for Dispatch Circuits	2.70	3
440. Credit for Emergency Communications	9.70	10
Fire Department		
513. Credit for Engine Companies	6.00	6
523. Credit for Reserve Pumpers	0.50	0.5
532. Credit for Pumper Capacity	3.00	3
549. Credit for Ladder Service	2.15	4
553. Credit for Reserve Ladder and Service Trucks	0.47	0.5
561. Credit for Deployment Analysis	5.75	10
571. Credit for Company Personnel	8.50	15
581. Credit for Training	8.19	9
730. Credit for Operational Considerations	2.00	2
590. Credit for Fire Department	36.56	50
Water Supply		
616. Credit for Supply System	27.15	30
621. Credit for Hydrants	2.92	3
631. Credit for Inspection and Flow Testing	6.40	7
640. Credit for Water Supply	36.47	40
Divergence	-3.61	--
1050. Community Risk Reduction	5.21	5.50
Total Credit	84.33	105.5

Final Community Classification = 02

2015 Insurance Service Office Review Wausau Fire Department Report

Internal Comparable:

In 1970 the Wausau Fire Department had grown to 60 members. Three crews with 19 staff members assigned two fire inspectors and the Fire Chief for 60 members. Today, 52 years later, the WFD has only grown to 61 sworn members and one administrative assistant. This equals a 3.3% increase in staffing while call volume has tripled. In addition, the responsibilities of the department have drastically increased.

In comparison, in 1970, the Wausau Police Department had a staff of 55. Over the last 50 years, the police department has grown by 43% and has a team of 79.

External Comparables:

Five external comparables were used for staffing comparisons of the three main pieces of apparatus. Each comparable has a similar response model of EMS, Fire, Rescue, and other specialty capabilities. Wausau Fire Department's current staffing model with only two firefighters on each engine and ladder truck were the lowest levels within the comparables. The average within the other departments contacted was a minimum of three firefighters on engine companies.

Minimum Staffing of Three Main Pieces of Apparatus			
Fire Department	Engine	Ladder Truck	Ambulance
Wausau	2	2	2
Eau Claire	3	3	2
Fond du lac	3	2	2
Oshkosh	3	3	2
Brookfield	4	3	2
Wauwatosa	4	4	2

IMPACT:

The estimated annual payroll and benefits cost of one entry-level firefighter/paramedic in 2022 would be \$93,177.72, plus uniforms, turn-out gear, and equipment.

2022 Cost of Firefighter/Paramedic	
Item	Cost
Payroll & Benefits	\$93,177.72
PPE Coat	\$ 1,235.00
PPE Pants	\$ 955.00
Portable Radio	\$ 4,000.00
SCBA - Face piece	\$ 200.00
PPE Helmet	\$ 315.00
Initial Issue Uniforms	\$ 700.00
Sheets/Bedding	\$ 50.00
PPE Hood/Gloves/Etc	\$ 150.00
Total =	\$ 100,782.72
Total for Nine Firefighters (2022) =	\$907,044.78

Future years beyond 2022 can only be estimated. The contract with Firefighters 415 expires at the end of 2022. Using an estimated 2 percent increase per year, the cost of a firefighter in 2023 will be \$103,806.20, and in 2024 it will be \$106,920.39.

Funding options range from the use of American Rescue Plan (ARP) funds, Staffing for Fire and Emergency Response (SAFER) Grant, tax levy increase through a referendum, and the use of future Tax Increment District (TID) funds.

The SAFER Grant opened for application on January 3, 2022, and closes on February 4, 2022. The SAFER Grant would provide funding for hiring firefighter/paramedic positions for three years and then leaves the municipality to continue to fund future years. It is intended to be a short-term solution for municipalities struggling to find ways to increase staffing to meet the NFPA 1710 standards. FEMA will notify all applicants of grant status no later than September 30, 2022.

DEPLOYMENT CONSIDERATIONS AND OPTIONS:

Several factors will weigh into how additional firefighter/paramedics are folded into the current operations. The heart of the proposal for additional staff is to add one additional firefighter/paramedic to each of the City's three engine companies. With three crews working 24-hour rotating shifts, a minimum of nine firefighter/paramedics will be needed to cover the increase in daily minimum staffing from 15 to 18.

Command and Supervision:

Additional firefighters will be spread between three crews and three stations. Each crew and station has a Lieutenant that supervises the staff and station. Currently, each station lieutenant has an engineer and two firefighter/paramedics under their supervision. A healthy span of control in the fire service is considered one officer to six to eight firefighters. Therefore, increasing the lieutenant's supervision responsibilities from three to four firefighters is well below the reasonable span of control.

Paid Time Off:

Currently, the 18 person crew has two paid time off (PTO) slots open for the 17 union members to pick within. The remaining slot is for sick leave, FMLA, and Battalion Chief to use PTO. PTO consists of Vacation, Personal Time, Perfect Attendance Leave (PAL), and Paid Holidays. Currently, there is not enough room in the vacation calendar for Local 415 members to use all of their PTO. Therefore, hiring additional staff will require opening a third PTO slot for Local 415 members to utilize. Additionally, with the language that was added into the most recent contract with Local 415, members are now allowed to take their Holidays as time off rather than Holiday Pay. This equates to an additional six days of PTO per employee. Combined with Vacation, Personal days, and PAL the potential PTO per crew is 973 days* and exceeds the 730 days available.

*Using the 2022 Earned vacation time of current crews, providing all firefighter/paramedics have served one year and earned six days of vacation.

Overtime:

Overtime will be dependent upon several contributing factors. If daily minimum staffing is increased from 15 to 18, an additional nine additional firefighter/paramedics will need to be hired. This influx of additional staff will require an additional PTO slot for Local 415 members. This will remove the third slot that had been in place to buffer the use of sick leave, FMLA leave, and the battalion chief's PTO. Without that slot, the department will have to hire staff back on overtime every time a battalion chief uses PTO, or any staff member uses sick leave or FMLA leave. The alternative to prevent that would be to consider hiring 12 firefighter/paramedics and having four openings in the daily roster for the previously described PTO use.

Below is an example of the daily roster and how union PTO and sick leave time off are incorporated.

Schedule: Fire (Published) 01/01/2021 - 12/31/2021 View Style: Daily Roster

Roster Date: 12/06/2021 Previous Next ☐ Display only problem days Save View as Default Clear Preferences

Location: Company #1 Company #2 Company #3 Shift: 7:30AM - 4:00PM 1/2 hr L Crew A Crew B

Refresh Print Add New View all Shifts for Users Copy

12/6						
Mon						
Daily Notes						
	Edit	Job	Shift Status	Comments	Start	Stop
Company #1						
BECKER, MICHAEL 11335	☐	Battalion Chief	Scheduled		0645	12/07/2021 0645
MARKS, MARLON 11444	☐	Fire Lieutenant	Higher Class Duty		0645	1845
	☐	Fire Lieutenant	Higher Class Duty		1845	12/07/2021 0645
KOEPKE, MARK 11996	☐	Engineer	Scheduled	T1/R1	0645	12/07/2021 0645
BUCH, ALFRED 12062	☐	Engineer	Higher Class Duty	E-1	0645	12/07/2021 0645
ALLEN, TANOR 12431	☐	Firefighter/Paramedic	Scheduled	M-1	0645	12/07/2021 0645
LAWTON, KYLE 12562	☐	Firefighter/Paramedic	Scheduled		0645	12/07/2021 0645
BEMKE, TANNER 12815	☐	Firefighter/Paramedic	Scheduled	M-1	0645	12/07/2021 0645
Company #2						
BROCKMAN, MATTHEW 11897	☐	Fire Lieutenant	Scheduled		0645	12/07/2021 0645
RESCH, WILLIAM 11054	☐	Engineer	Fire OT Sick Coverage		0645	1845
	☐	Engineer	Fire OT Sick Coverage		1845	12/07/2021 0645
VENUS, TROY 12409	☐	Firefighter/Paramedic	Fire Overtime @ 1.5		1845	12/07/2021 0645
DECLERC, JACOB 12411	☐	Firefighter/Paramedic	Scheduled		0645	12/07/2021 0645
VOLM, CODY 12679	☐	Firefighter/Paramedic	Scheduled		0645	1845
Company #3						
WIESMAN, CODY 11947	☐	Fire Lieutenant	Scheduled		0645	12/07/2021 0645
RIEL, KURT 11096	☐	Engineer	Scheduled		0645	12/07/2021 0645
NOWITZKE, MAXXWEL 12113	☐	Firefighter/Paramedic	Scheduled		0645	12/07/2021 0645
CLARK, NATHAN 12800	☐	Firefighter/Paramedic	Scheduled		0645	12/07/2021 0645
Fire Perfect Attendance Leave						
VOLM, CODY 12679	☐	Firefighter/Paramedic	Fire Perfect Attendance Leave		1845	12/07/2021 0645
Fire Sick Leave						
WOLLER, SHANE 11768	☐	Fire Lieutenant	Fire Sick Leave		0645	12/07/2021 0645
Fire Vacation						
HANKE, THOMAS 11064	☐	Engineer	Fire Vacation	2ND ROUND	0645	12/07/2021 0645

Daily Roster Example 12/06/2021

Options for achieving 18 daily minimum staffing:

Many options for hiring additional firefighters are available. At this point in the process all the conversation has surrounded hiring a minimum of nine firefighters to achieve growth in staffing level to 18 daily minimum staffing. The operational deployment of the additional firefighters becomes difficult when the use of PTO is factored in. The larger the crews get, the more allowable spots for staff to use PTO need to exist. Two options plausible options to increase minimum staffing from 15 per day to 18. Either hire 9 or 12 additional firefighter/paramedics.

Below is a chart with the proposal detailing the proposed use of additional firefighter/paramedics.

Assignments	Staffing 15 Minimum	Staffing 18 Minimum
Car Two (Battalion Chief)	1	1
Engine One	2	3 (addition of 1 FF/P)
Med One	2	2
Truck One	2	2
Rescue One		
Med Four		
Engine Two	2	3 (Addition of 1 FF/P)
Med Two	2	2
HazMat	0 (on call)	0 (on call)
Engine Three	2	3 (Addition of 1 FF/P)
Med Three	2	2
Union PTO	2 (17 picking in 2 spots)	3 (increase to 20 picking in 3 spots)
Sick/FMLA/BC PTO	1	Hire 9 = 0, Hire 12 = 1
Crew Total	18	Hire 9 = 21, Hire 12 = 22

Deployment Chart

Hire 9: Hiring nine will meet the need of adding a firefighter/paramedic on each of the three engine companies but will require an increase in overtime. The added overtime will occur anytime a crew member uses sick leave, FMLA, or the battalion chief uses PTO because there is no open slot on the roster. Using overtime is slightly cheaper than hiring an additional position, but it is difficult to maintain for long periods. In addition, overtime will become problematic anytime the department is short-staffed because there is no cushion between minimum daily staffing and PTO availability.

Hire 12: Hiring twelve will meet the need of adding one firefighter/paramedic on each of the three engine companies. While more expensive to have an additional firefighter, it will allow for a fourth slot on each crew for the use of sick leave, FMLA, and the battalion chief PTO. This will eliminate the use of overtime when the battalion chief posts PTO and will limit some overtime exposure when staff uses sick leave and/or FMLA. In the event there is no use of the fourth PTO slot, the extra firefighter would be assigned to the cross-staffing of Truck One, Rescue One, and Med Four and increase the effectiveness and safety margin on those apparatus. This would also aid in helping solve the retention issues the department has suffered by cutting back the amount of forced overtime that staff has to deal with.

If the Committee chooses to hire nine firefighter/paramedics, a third less desirable option would be to set the daily minimum staffing at 17. At a minimum of 17, one of the cities three engine companies will remain staffed with only an engineer and lieutenant. Staffing at 17 does not accomplish the goal of correcting 50 years of stagnancy of hiring within the fire department. As the Fire Chief, I would highly advise against setting daily minimum staffing at 17.

COORDINATION:

The Fire Chief is working with the Mayor, Finance Director, and Human Resources Director to provide options for consideration in deployment and funding.

Drafted by: Robert Barteck, Fire Chief

Cc: Mayor