



# 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: | <b>COMMON COUNCIL OF THE CITY OF WAUSAU</b>                                                                                                              |
| Date/Time:      | <b>Tuesday, May 26, 2020 at 6:30 p.m.</b>                                                                                                                |
| Location:       | <b>City Hall (407 Grant Street, Wausau WI 54403) - *Council Chambers</b>                                                                                 |
| Members:        | Patrick Peckham, Michael Martens, Tom Kilian, Tom Neal, Jim Wadinski, Becky McElhaney, Lisa Rasmussen, Sarah Watson, Dawn Herbst, Lou Larson, Debra Ryan |

|                      |                                                                                       |
|----------------------|---------------------------------------------------------------------------------------|
| <b>Call to Order</b> |                                                                                       |
|                      | Pledge of Allegiance / Roll Call / Proclamations                                      |
| Public Comment:      | Pre-registered citizens for matters appearing on the agenda and other public comment. |

## Communications and recommendations from the Mayor: Strategic Planning

| File #  | CMT         | Consent Agenda                                                                                                                                                                            | ACT                          |
|---------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 20-0501 | COUN        | Minutes of previous meeting. (5/13/20)                                                                                                                                                    | Place on file                |
| 20-0507 | CISM        | Ordinance Amending Section 10.20.080(a) designating no parking on the west side of North 4th Street from the south curb line on McIndoe Street to a point 175 feet south                  | Approved 4-0                 |
| 20-0104 | CISM & PLAN | Final Resolution Vacating and discontinuing the east 235 feet of alley lying west of 912 North 9th Street                                                                                 | Approved 4-0<br>Approved 4-0 |
| 19-1109 | FIN         | Resolution Authorizing the modification of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Wausau Municipal Code §3.40.010(a) (2020 Comprehensive Fee Schedule) | Approved 5-0                 |
| 20-0317 | PH&S        | Resolution temporarily suspending W.M.C. 5.64.036 Drive-Up Sales for a period expiring on October 31, 2020, 11:59 p.m.                                                                    | Approved 5-0                 |

| File #  | CMT  | Resolutions and Ordinances                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | ACT          |
|---------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| 20-0503 |      | Mayor's Appointments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |              |
| 92-0623 | FIN  | Resolution Approving renewal of parking lot lease with Colonial Property 4, LLC Grant and 3rd Streets                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Approved 4-1 |
| 19-1109 | FIN  | Resolution Approving Reallocation of \$25,000 Budgeted for Brockmeyer Park Parking Lot to JoJo's Jungle Playground in Brockmeyer Park                                                                                                                                                                                                                                                                                                                                                                                                                       | Approved 5-0 |
| 20-0505 | FIN  | Resolution Approving the Community Development Block Grant Program Action Plan adding Coronavirus Aid, Relief, and Economic Security (CARES) Act funding and the Reprogramming Homeowner Rehabilitation Revolving Loan Funds into CARES initiatives.                                                                                                                                                                                                                                                                                                        | Approved 5-0 |
| 20-0509 | PH&S | Ordinance Creating temporary ordinance Chapter 5.90 Relaxing Certain Code Requirements during COVID -19 Pandemic and Recovery for a period expiring on October 31, 2020, 11:59 pm: to provide for COVID-19 temporary outdoor restaurant seating areas; authorize City staff review and approval of temporary outdoor seating areas and temporary expansion of licensed premises for restaurants; temporarily amending Section 9.04.025 Consumption or possession of intoxicants on streets; and temporarily amending Special Events Policies and Procedures | Approved 5-0 |
|         |      | Suspend the Rules - 6(B) Filing and 12 (A) Referral of Resolutions (2/3 vote required)                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |              |
| 20-0508 | COUN | Resolution Approving Termination of Cross Easement and approving a Construction Easement with Thrive Properties LLC – 2105 N. 2nd Street                                                                                                                                                                                                                                                                                                                                                                                                                    | Pending      |

|                              |  |
|------------------------------|--|
| Public Comment & Suggestions |  |
|------------------------------|--|

|             |  |
|-------------|--|
| Adjournment |  |
|-------------|--|

Signed by Katie Rosenberg, Mayor

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>*Due to the COVID-19 pandemic, this meeting is being held in person and via teleconference. Members of the media and the public may attend in person, subject to the social distancing rules of maintaining at least 6 feet apart from other individuals, or by calling <b>1-408-418-9388</b>. The <b>Access Code is 963 405 089. Password: EfMf4MgPf33</b></p> <p>Individuals appearing in person will either be seated in the Council Chambers or an overfill room, subject to the social distancing rules. Space available will be on a first come, first served basis. All public participants' phones will be muted during the meeting. Members of the public who do not wish to appear in person may view the meeting live over the internet by <a href="https://waam.viebit.com/?folder=ALL">https://waam.viebit.com/?folder=ALL</a> , on the City of Wausau's YouTube Channel <a href="http://www.tinyurl.com/WAAMedia">http://www.tinyurl.com/WAAMedia</a> , live by cable TV, Channel 981, and a video is available in its entirety and can be accessed at <a href="https://tinyurl.com/WausauCityCouncil">https://tinyurl.com/WausauCityCouncil</a>. Any person wishing to offer public comment who does not appear in person to do so, may e-mail <a href="mailto:leslie.kremer@ci.wausau.wi.us">leslie.kremer@ci.wausau.wi.us</a> with "Common Council public comment" in the subject line prior to the meeting start. All public comment, either by email or in person, will be limited to items on the agenda at this time. The messages related to agenda items received prior to the start of the meeting will be provided to the Mayor.</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

This Notice was posted at City Hall and transmitted to the Daily Herald newsroom on 5/21//20 @ 2:30 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](mailto: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.

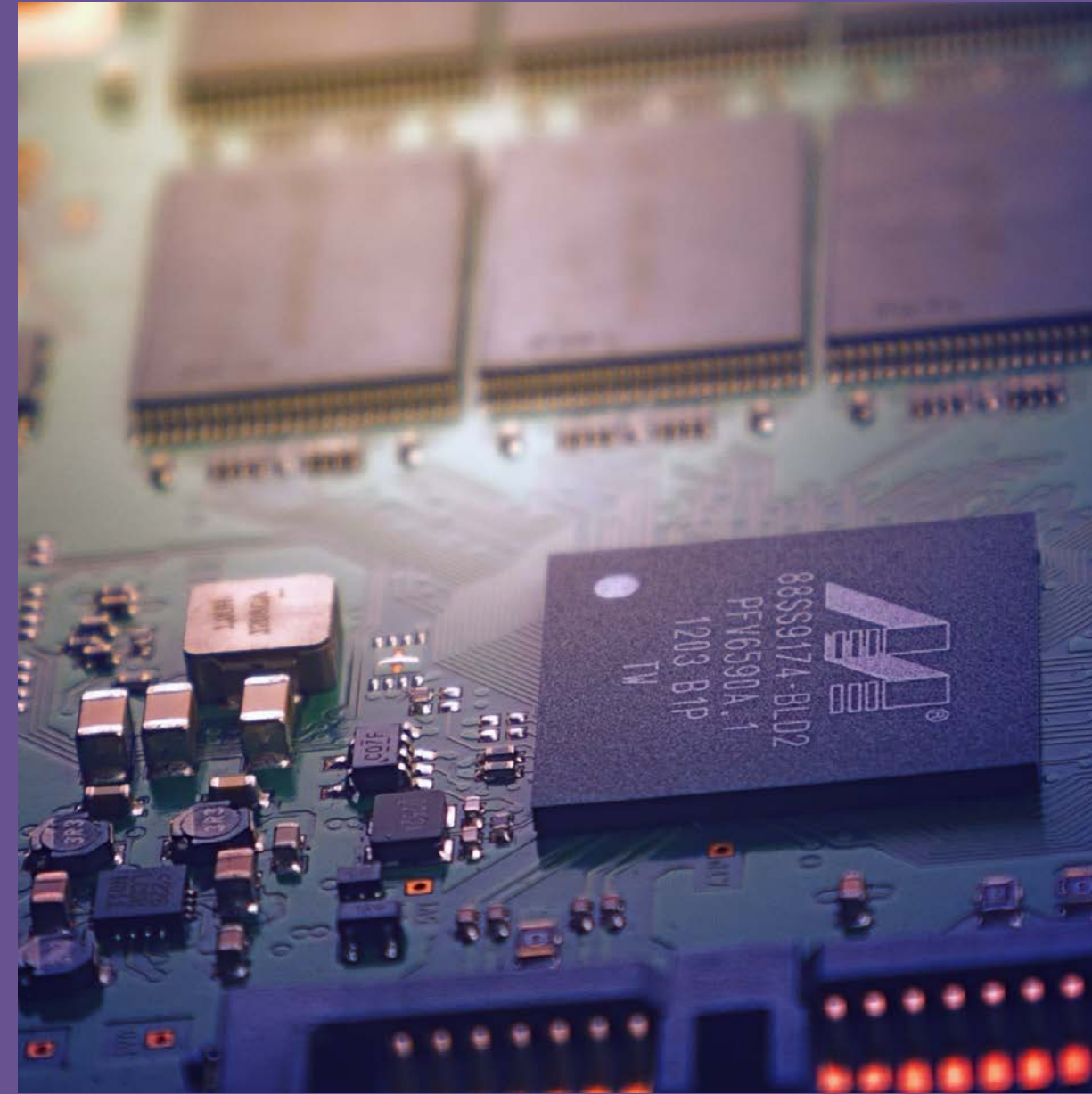


# Wausau 2025: Strategic Planning Recommendation

# Maximize Investment of our Resources



Prepare for the Future



Service Delivery Innovation



Job Creation

# Process Policy Versus Operations



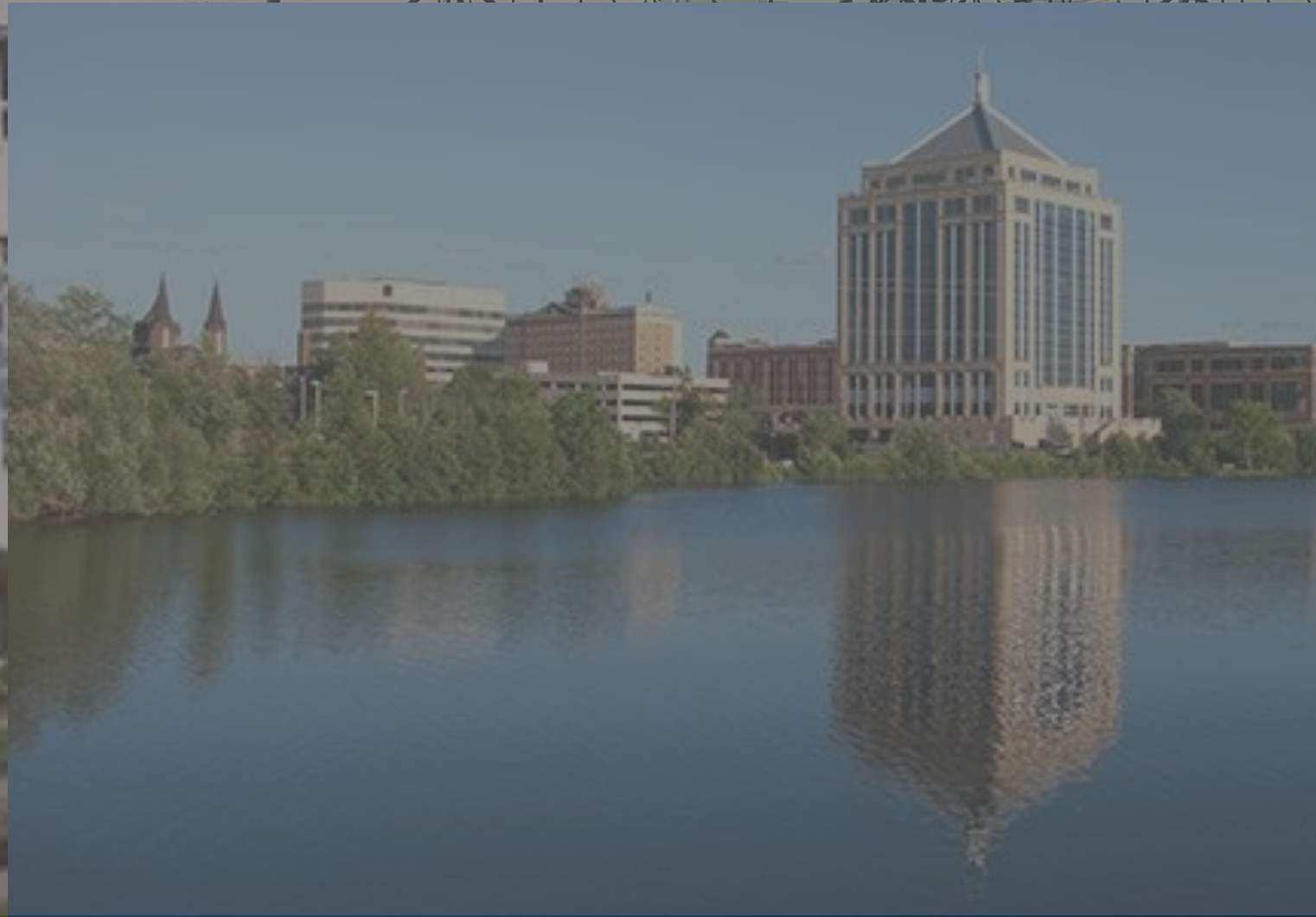
The What



The How

# Wausau Opportunities





Thank you

**OFFICIAL PROCEEDINGS OF THE MEETING OF THE WAUSAU COMMON COUNCIL**

held on Wednesday, May 13, 2020 at 6:30 pm in the Council Chambers at City Hall.

Mayor Katie Rosenberg presiding.

**Roll Call**

05/13/2020

Roll Call indicated 11 members present in person or via WebEx.

| <u>District</u> | <u>Aldersperson</u> | <u>Present</u>       |
|-----------------|---------------------|----------------------|
| 1               | Peckham, Patrick    | YES ( <i>WebEx</i> ) |
| 2               | Martens, Michael    | YES ( <i>WebEx</i> ) |
| 3               | Kilian, Tom         | YES ( <i>WebEx</i> ) |
| 4               | Neal, Tom           | YES ( <i>WebEx</i> ) |
| 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**

None

**Presentations: Aspirus Eastside Clinic Update**

Matt Brewer, Vice President of Operations, stated we have been doing a number of things to ensure our own stability and one of those efforts is to look to postpone our Eastside Clinic and Wellness Campus. He indicated they were set to start construction this June 2020, to be under construction for approximately one year, but have now decided to postpone the project to the beginning of summer 2021.

**Consent Agenda**

05/13/2020

Motion by Rasmussen, second by McElhaney to adopt all the items on the Consent Agenda as follows:

**20-0401** Minutes of the previous meetings (4/21/20 & 4/28/20)

**18-0506** Resolution of the Economic Development Committee Approving a Community Development Application to U.S. Department of Housing and Urban Development to become a HUD Approved Housing Counseling Agency

**20-0108** Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses as Indicated.

Yes Votes: 11    No Votes: 0    Result: PASS

**20-0503**

05/13/2020

Motion by Peckham, second by Watson to confirm the Mayor's Appointments to the Board of Review, Board of Zoning Appeals, Citizens Advisory Committee - CDBG, Historic Preservation Commission, Legislative Committee, Mayor's Welcoming & Inclusivity Committee, Plan Commission, Police & Fire Commission, Room Tax Commission, Sustainability, Energy & Environment Commission, Transit Commission, Wausau Arts Commission, and Wausau Water Works Commission.

Yes Votes: 11    No Votes: 0    Result: PASS

**20-0504**

05/13/2020

Motion by Rasmussen, 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 (Lowe - 4306 Hilltop Avenue).

Yes Votes: 11    No Votes: 0    Result: PASS

**19-1109**

05/13/2020

Motion by Watson, second by Herbst to adopt the Resolution of the Finance Committee Approving the 2020 budget modification Computer Financial Systems Software – Assessment Computer Assisted Mass Appraisal Software.

Yes Votes: 11 No Votes: 0 Result: PASS

**19-1109 Reconsideration**

05/13/2020

Motion by Watson, second by Rasmussen to reconsider the Resolution of the Finance Committee Approving the 2020 budget modification for the Great Lakes Cheese Facility Demolition.

Kilian called a point of order questioning why this was being brought back because the rule states a member of the prevailing side would have had to make a motion to reconsider the resolution immediately after the vote.

Rasmussen stated this question was asked at the Finance Committee because the fund source is substantially different. The original resolution had a request for financing with debt. She explained Haas Construction wants the rubble-sized material from the Great Lakes Cheese site to be used as road base on the Fulton Street Project currently in progress. This reduces our costs on Fulton Street; is an environmentally friendly way to reuse that material; and the fund source would be an internal transfer of budget line items that already exist. This really changes the landscape of the item, so they did not feel it fit as a reconsideration.

Attorney Jacobson stated the item is on the agenda and since members of the prevailing side have made a motion to reconsider the item they should take a vote so that it can be discussed.

*Vote to reconsider:*

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       | YES         |
| 6               | McElhaney, Becky    | YES         |
| 7               | Rasmussen, Lisa     | YES         |
| 8               | Watson, Sarah       | YES         |
| 9               | Herbst, Dawn        | YES         |
| 10              | Larson, Lou         | NO          |
| 11              | Ryan, Debra         | NO          |

Rasmussen explained the Council previously voted to direct staff to use the money already allocated in the 2020 budget to knock down the building, but did not fund the removal of slab. They did as much as they could do with the money they had and the pictures in the packet shows what a half done job looks like. This resolution tonight basically finishes the work with an environmentally friendly way to repurpose the material and clean off the site, or we will have to pay to fence the whole thing in. There is liability if someone goes out there and gets injured. The material laying out there includes asbestos and if it is dispersed or goes into the river it is on us. She pointed out there is a line item within the budget to do an internal transfer and take care of it without any borrowing.

Watson indicated she voted against it at Finance Committee, but after receiving additional information from Eric Lindman and considering the asbestos and safety issues she now felt it was important to take care of it.

*Lengthy discussion continued. The meeting can be viewed online: <https://www.youtube.com/watch?v=ynkI6COF428>*

Motion by Kilian, second by Larson to amend the Resolution to fund only the asbestos removal and table the rest.

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

| <u>District</u> | <u>Aldersperson</u> | <u>Vote</u> |
|-----------------|---------------------|-------------|
| 1               | Peckham, Patrick    | NO          |
| 2               | Martens, Michael    | NO          |
| 3               | Kilian, Tom         | YES         |
| 4               | Neal, Tom           | NO          |
| 5               | Wadinski, Jim       | NO          |
| 6               | McElhaney, Becky    | NO          |
| 7               | Rasmussen, Lisa     | NO          |

|    |               |     |
|----|---------------|-----|
| 8  | Watson, Sarah | NO  |
| 9  | Herbst, Dawn  | NO  |
| 10 | Larson, Lou   | YES |
| 11 | Ryan, Debra   | NO  |

Motion by Ryan to amend the resolution to fund the disposal of asbestos with the Holtz Krause fun. Motion died for lack of a second.

Motion by Rasmussen, second by McElhaney to adopt the Resolution of the Finance Committee Approving the 2020 budget modification for the Great Lakes Cheese Facility Demolition.

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

| District | Aldersperson     | Vote |
|----------|------------------|------|
| 1        | Peckham, Patrick | YES  |
| 2        | Martens, Michael | YES  |
| 3        | Kilian, Tom      | NO   |
| 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      | YES  |

**19-1109**

05/13/2020

Motion by Rasmussen, second by Watson to adopt the Resolution of the Finance Committee Approving the 2020 budget modification Tax Increment District Seven street improvements and related fund advance. Adopted 10-1.

Ryan indicated she voted no at Finance because she felt the explanation as part of the packet was insufficient. She indicated she has since spoke with engineering to obtain additional information and learned there were savings, favorable bids, and no lead under the roads. She stated she would now support it.

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

| District | Aldersperson     | Vote |
|----------|------------------|------|
| 1        | Peckham, Patrick | YES  |
| 2        | Martens, Michael | YES  |
| 3        | Kilian, Tom      | NO   |
| 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  |

**Suspend the Rules**

05/13/2020

Motion by McElhaney, second by Neal to suspend the rules. Motion carried 10-1.

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

| District | Aldersperson     | Vote |
|----------|------------------|------|
| 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  |

**20-0506**

05/13/2020

Motion by Rasmussen, second by Larson to adopt the Resolution of the Common Council Creating the Safe Elections Task Force.

Mayor Rosenberg stated this came out of discussion regarding having safe elections in August and November should there be a second wave of the pandemic. She noted 61% of the balloting was by absentee voting which requires a lot of resources.

Leslie Kremer, City Clerk, explained the municipal clerk is responsible for conducting elections in his or her municipality, which is a power given under 7.15 of the Wisconsin Statutes. When an election is administered and there is an issue or a question as to why it was done a particular way, the clerk has to answer to the state. This is why it is important for municipal clerks to have autonomy in administering elections. The county clerk is above the municipal clerk and oversees all the elections in Marathon County. Wisconsin statutes chapter 5 through 12 and the Elections Administrative Code are the laws that govern elections. The Wisconsin Elections Commission (WEC) is set up by the Legislature and it is the WEC that drives how the polling place is set up and all of the things that go into an election. Anything that we want to change about an election has to go through the WEC for approval. The WEC puts out an Election Day manual that sets forth every step you must follow in administering an election.

Kremer stated when the pandemic arose the WEC hosted webinars and provided guidance on steps to put in place to have a safe election. She noted County Clerk, Kim Trueblood, worked with the state to get all the supplies needed, such as cleaning supplies, sanitizers and masks, as well as brought in the National Guard to help as poll workers.

Kremer stated there are legal and procedural reasons why the City of Wausau through the Clerk's Office administers elections the way we do. She indicated she is looking at a Central Count for absentee ballots and succession planning for the poll workers and/or possible poll site consolidation. She reiterated they can't just make their own rules and the WEC would have to approve any changes.

Yes Votes: 11 No Votes: 0 Result: PASS

**02-0432**

05/13/2020

Motion by McElhaney, second by Neal to adopt the Resolution of the Common Council Creating the Rules Review Committee.

Yes Votes: 11 No Votes: 0 Result: PASS

**01-1106**

05/13/2020

Motion by Rasmussen, second by Herbst to adopt the Resolution of the Common Council Creating the Capital Improvement Program (CIP) Committee.

Yes Votes: 11 No Votes: 0 Result: PASS

**Adjourn**

05/13/2020

Motion by Herbst, second by McElhaney to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:10 pm.

Katie Rosenberg, Mayor  
Leslie M. Kremer, City Clerk

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

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

Amending Section 10.20.080(a) designating no parking on the west side of North 4<sup>th</sup> Street from the south curb line on McIndoe Street to a point 175 feet south

Committee Action: Approved 4-0

**Ordinance Number:**

Fiscal Impact: Minimal cost to install signs

**File Number:** 20-0507

**Date Introduced:** May 26, 2020

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 as follows:

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

...

North 3<sup>rd</sup> Street

- East side of the street, between McIndoe Street and DeKalb Street
- Both sides of the street between East Wausau Avenue and East Union Avenue

North 4<sup>th</sup> Street

- West side of the street, from the south curb line on McIndoe Street to a point 175 feet south

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:

\_\_\_\_\_  
Leslie M. Kremer, City Clerk

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: March 12, 2020, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Gisselman, Rasmussen, Thao, Lawrence (Lawrence arrived at 5:35 pm; McElhaney was excused.)

Also Present: Mayor Mielke, Lindman, Wesolowski, Buckner, Niksich, Jacobson, Neal

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

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

### **Discussion and possible action on parking restrictions on the west side of North 4<sup>th</sup> Street from the south curb line on McIndoe Street to a point 175 feet south**

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Wesolowski explained that with the expansion of the YMCA, there is now two driveways into their parking structure on 4<sup>th</sup> Street. There is also a service walk to their generators and a driveway to overhead doors. People are parking in between the driveways and it creates sight issues. Staff is proposing adding no parking back to corner to prevent parking in between the driveways.

Rasmussen moved to approve no parking on the west side of North 4<sup>th</sup> Street from the south curb line on McIndoe Street to a point 175 feet south. Seconded by Thao.

Lawrence is not clear on where the 175 feet lands, and feels it may go too far. She can see removing the one stall by the driveway where most would egress. It seems to Rasmussen that 90% of people that are parking there are YMCA members. YMCA's parking has improved with their new parking lots. Wesolowski clarified that this would be giving up one stall between the two driveways. It will eliminate confusion with parking in front of the driveway to the overhead door and the service walk.

Bryan Bailey, 707 3<sup>rd</sup> Street, is the CEO of the Woodson YMCA. He confirmed this involves one spot. He noted that sometimes two people try to park in this area where only one vehicle should be. This stops people from getting in and out and also creates vision issues

There being a motion and a second, motion to approve no parking on the west side of North 4<sup>th</sup> Street from the south curb line on McIndoe Street to a point 175 feet south carried unanimously 4-0.

| AGENDA ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Discussion and possible action on parking restrictions on the west side of N. 4 <sup>th</sup> Street from the south curb line on McIndoe Street to a point 175 feet south                                                                                                                                                                                                                                                                                                                                                                                                               |
| BACKGROUND                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| The YMCA has completed the addition to the YMCA on the west side of 4 <sup>th</sup> Street. The YMCA has 2 entrances into the parking area off 4 <sup>th</sup> Street and 1 private drive entrance. See the attached photo. The YMCA has requested the parking be restricted to “NO PARKING” on the west side of 4 <sup>th</sup> Street for the intersection of McIndoe Street approximately 175 feet south. The current parking arrangement allows vehicles to park in between the driveways and sometimes in the driveways making it difficult for vehicles exiting the parking area. |
| FISCAL IMPACT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Minimal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| STAFF RECOMMENDATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Staff recommends approving the ‘NO PARKING’ restriction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Staff contact: Allen Wesolowski 715-261-6762                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



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

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

Vacating and discontinuing the east 235 feet of alley lying west of 912 North 9<sup>th</sup> Street

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

Fiscal Impact: None

File Number: 20-0104

Date Introduced: May 26, 2020

**FISCAL IMPACT SUMMARY**

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

**RESOLUTION**

**WHEREAS**, pursuant to Section 66.1003(4) of the Wisconsin Statutes, the Common Council has heretofore initiated proceedings on January 14, 2020, at a regular meeting of the Common Council to vacate and discontinue the following described alley in the City of Wausau:

Part of Block 1, Dunbar & Brown's Park Addition to the City of Wausau,  
Section 25, Township 29 North, Range 7 East, City of Wausau, Marathon  
County, Wisconsin, described as follows:

All of the public alley in said Block 1, lying West of the West line of Lot 11,  
said Block 1, extended Southerly, and lying East of a line 5 feet Easterly of  
and parallel with the West line of Lot 15, said Block 1, extended Southerly.

**WHEREAS**, a public hearing on the passage of such resolution had been set by the Common Council, which hearing was set for 5:30 p.m. in the Council Chambers of City Hall, Wausau, Wisconsin, on the 12th day of March, 2020, written notice of such meeting was duly served on the owners of all of the frontage of the lots and lands abutting upon the alley sought to be discontinued as provided by law, and notice was published in the newspaper as provided by law; and

**WHEREAS**, a public hearing was duly held pursuant to said notice at the time and place therefor affixed and all persons so served and interested were then and there given an opportunity to be heard; and

**WHEREAS**, a proper notice of the pendency of said petition for vacation and discontinuance and map covering the proposed vacation was duly filed in the Office of Register of Deeds for Marathon County, as required by the Wisconsin Statutes; and

**WHEREAS**, your Capital Improvements and Street Maintenance Committee and your Plan Commission, after considering the matter, have recommended that the aforescribed alley be vacated and discontinued; and

**WHEREAS**, Wisconsin Public Service Corporation and Frontier North Inc. have requested that they be granted easement and ingress and egress rights over, across and under the alley prior to it being vacated.

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Wausau that it is hereby declared that since the public interest requires it, the herein described alley is hereby vacated and discontinued; provided, however, this resolution shall take effect and have validity only after the granting by the City to requesting utilities any and all permanent easement and ingress and egress rights deemed necessary by them.

**BE IT FURTHER RESOLVED**, that the proper City officials are hereby authorized and directed to execute easements to Wisconsin Public Service Corporation and Frontier North Inc., if they wish, approved by the City Attorney, granting all necessary easement and ingress and egress rights, all within and/or over the alley to be vacated, and that these entities shall have until June 30, 2020, to get these easements recorded.

**BE IT FURTHER RESOLVED**, that the City Clerk, upon the recording of the above-referenced easements, but no earlier than June 30, 2020, shall record a certified copy of this resolution accompanied with a map showing the location of said vacated alley in the Office of the Register of Deeds for Marathon County, and that the City Clerk shall notify the City Engineer as to when this resolution has been recorded.

Approved:

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Katie Rosenberg, Mayor

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: March 12, 2020, at 5:30 p.m. in the Council Chambers of City Hall.

Members Present: Gisselman, Rasmussen, Thao, Lawrence (Lawrence arrived at 5:35 pm; McElhaney was excused.)

Also Present: Mayor Mielke, Lindman, Wesolowski, Buckner, Niksich, Jacobson, Neal

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

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

### **Public Hearing: Discussion and possible action on vacating and discontinuing an alley lying west of 912 North 9<sup>th</sup> Street between Fulton Street, McIndoe Street and North 8<sup>th</sup> Street**

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Gisselman opened the public hearing and asked those wishing to speak to come forward.

Steve Krugler stated his mother owns 801 Fulton Street. He asked what happens to the property if abandoned as they have a garage that has alley access. Wesolowski explained that once abandoned the land goes back to adjoining property owners. Typically half goes to each side. Krugler said the garage has access to the south and if vacated they will no longer have access. Wesolowski confirmed. Lawrence feels this may be a problem as there are 8 or 9 garages along this alley. Wesolowski noted that a petition was received that was signed by the majority of property owners.

Tom Neal, 916 Hamilton Street, is familiar with the property. From 9<sup>th</sup> Street to 801 Fulton Street, the alley is grass and vines. While this is still officially an alley, no one drives it. All other garages have access from the street sides. This could be a simple matter of clarifying property lines between two residences.

Gisselman suggested leaving the portion of the alley between 801 Fulton and 804 McIndoe and vacating the rest. Lawrence questioned vacating the entire alley and getting a quick claim deed from 804 so 801 would own all of the vacated area. Jacobson stated while that is one possible solution, we cannot force 804 to provide a quick claim deed.

Doug Espeland, 816 McIndoe Street, stated his wife initiated the petition. They would like to abandon the alley because the east third of it is all weeds and grown over. 815 Fulton, 822 McIndoe, 816 McIndoe, 811 Fulton, 812 McIndoe and 808 McIndoe all have garages that face their respective streets. He questioned if a partial abandonment could be done for those that signed the petition.

At this time the public hearing was closed.

Rasmussen noted a similar issue when the vacation of Clark Street was proposed where one property owner was asked to deed their vacated portion. She questioned if the City could ask the property owner, if not she would be willing to do a partial vacation. Gisselman would rather wait on official action or approve a partial vacation. Thao would like to give consideration to property owners of 807 Fulton Street. Per Lindman, the owner of 807 Fulton signed the petition. Espeland added that the garage for 807 faces Fulton Street.

Rasmussen moved to approve the vacation with the exception of the alley abutting 801 Fulton Street and 804 McIndoe Street. Thao seconded and the motion carried unanimously 4-0.

## PLAN COMMISSION

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Time and Date: The Plan Commission met on Tuesday, May 19, 2020, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Katie Rosenberg, Eric Lindman, Patrick Peckham, Bruce Bohlken

Others Present: William Hebert, Melissa Engen

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

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

### **Discussion and possible action on vacating and discontinuing an alley lying west of 912 North 9<sup>th</sup> Street between Fulton Street, McIndoe Street and North 8<sup>th</sup> Street.**

There was discussion on the CISM motion and the change in the vacation. The alley west of 912 North 9<sup>th</sup> Street would be vacated, except for 801 Fulton Street and 804 McIndoe Street, which are the two end properties.

Peckham motioned to vacate and discontinue the alley lying west of 912 North 9<sup>th</sup> Street between Fulton Street, McIndoe Street and North 8<sup>th</sup> Street, with the exception of the alley abutting 801 Fulton Street and 804 McIndoe Street. Bohlken seconded.

The motion carried unanimously 4-0. This item will go to Common Council on May 26, 2020.

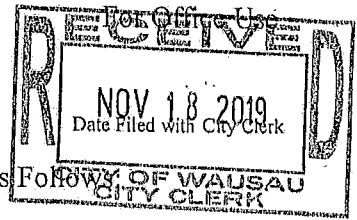
| AGENDA ITEM                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Public Hearing: Discussion and possible action on vacating and discontinuing an alley lying west of 912 North 9 <sup>th</sup> Street between Fulton Street, McIndoe Street and North 8 <sup>th</sup> Street |
| BACKGROUND                                                                                                                                                                                                  |
| Staff received a petition to vacate the above alley. This public hearing will take public comment on vacating this section of right-of-way.                                                                 |
| FISCAL IMPACT                                                                                                                                                                                               |
| A cost savings in future years would be realized because City DPW staff would not need to maintain the alley.                                                                                               |
| STAFF RECOMMENDATION                                                                                                                                                                                        |
| Staff recommends approving vacating the right-of-way as shown. This recommendation is contingent upon public comment during the hearing.                                                                    |
| Staff contact: Allen Wesolowski 715-261-6762                                                                                                                                                                |

# PETITION

TO THE MAYOR AND COMMON COUNCIL  
OF THE CITY OF WAUSAU, WISCONSIN

A Petition For:

- ☒ Alley Vacation    ☐ Sanitary Sewer    ☐ Storm Sewer    ☐ Other as Follows  
☐ Blacktop Paving    ☐ Street Light    ☐ Watermain  
☐ Curb and Gutter    ☐ Street Vacation    ☐ Zoning Change



cc: Engineering

The undersigned petitioners respectfully request that your honorable body take such action as will cause the:

(800 Block)  
Abandonment of alley between McIndoe St. &  
Fulton St.

| Signature of Electors | Print Name Clearly | Print Home Address     | Date of Signing |
|-----------------------|--------------------|------------------------|-----------------|
| <i>Kathleen Webb</i>  | Kathleen Webb      | 815 Fulton St. Wausau  | 10/8/19         |
| <i>Laurie Henke</i>   | Laurie Henke       | 816 McIndoe St. Wausau | 10/9/19         |
| <i>Lauren Jourdan</i> | Lauren Jourdan     | 808 McIndoe St         | 10/9/19         |
| <i>Kelly McCarthy</i> | Kelly McCarthy     | 807 Fulton St          | 10/18/19        |
| <i>Jason Tesla</i>    | Jason Tesla        | 822 McIndoe St         | 10/25/19        |
| <i>Scott Hunger</i>   | Scott Hunger       | 811 Fulton St.         | 10/28/19        |
| <i>Janet Laffin</i>   | Janet Laffin       | 804 McIndoe            | 11-14-19        |
| 8.                    |                    |                        |                 |
| 9.                    |                    |                        |                 |
| 10.                   |                    |                        |                 |
| 11.                   |                    |                        |                 |
| 12.                   |                    |                        |                 |
| 13.                   |                    |                        |                 |
| 14.                   |                    |                        |                 |
| 15.                   |                    |                        |                 |

## AFFIDAVIT OF CIRCULATOR

STATE OF WISCONSIN  
CITY OF WAUSAU Laurie Henke being duly sworn disposes and says that he is a resident of the affected area, residing at 816 McIndoe St. in the City of Wausau; that he is personally acquainted with the persons who have signed the foregoing petition; that he knows them to be residents of the affected area; that they signed the same with full knowledge of the contents thereof; that their respective residents are stated therein; that each signer signed the same on the date stated opposite his name; and that he intends to support the petition.

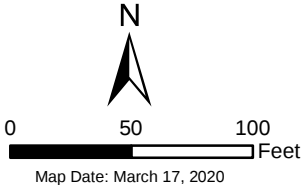
Filed in the Office of the City Clerk and sworn to before me this 20 day of November, 2020

*[Signature]*  
Signature of City Clerk or designee

*[Signature]*  
(Signature of Circulator)

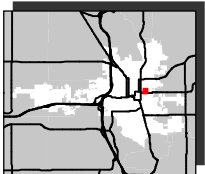
816 McIndoe St.  
(Address of Circulator)

715-459-2635 Wausau, WI  
54403



**CITY OF WAUSAU**  
Marathon County, Wisconsin

- Legend**
- Existing Building
  - Existing Right-of-Way
  - Proposed Vacation



**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) (2020 Comprehensive Fee Schedule)

Committee Action: Approved 5-0

Fiscal Impact: The fiscal impact will depend on the amount of activity such as inspections permits

**File Number:** 19-1109

**Date Introduced:** May 26, 2020

**RESOLUTION**

**WHEREAS**, the City of Wausau has adopted a comprehensive Fees and License Schedule at W.M.C. §3.40.010; and

**WHEREAS**, the Finance Committee has reviewed proposed changes to the schedule for the inspection fees as set forth in the attached Exhibit and incorporate these as part of the City of Wausau Fees and Licenses Schedule.

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Wausau, that the fees set forth in the attached Exhibit are hereby adopted and incorporated into the City of Wausau Fees and Licenses Schedule adopted pursuant to W.M.C. §3.40.010.

Approved:

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Katie Rosenberg, Mayor

## **FINANCE COMMITTEE**

Date and Time: Tuesday, May 13, 2020 @ 5:15 pm., Council Chambers

Members Present *In person*: Rasmussen, Ryan, Herbst, and Watson. *By WebEx*: Martens.

Others Present: Groat, Rosenberg, Jacobson, Goede, Van Krey, Stratz, Lindman, Wesolowski, Barteck, Bruce Bohlken

## **Discussion and possible action regarding modification to the City of Wausau fee schedule related Inspections**

### **Department Fees**

Ryan questioned if the occupancy fee was applicable to renter properties or homeowners. Bill Hebert explained the occupancy permit is just for new construction and is typically a document that is required by the lending institution.

Motion by Ryan, second by Herbst to approve the modifications to the fee schedule. Motion carried 5-0.



## **Memorandum**

**From: William D. Hebert**

**To: Finance Committee**

**Date: 05/21/2020**

**Re: 2020 Inspections Division Proposed Fee Schedule**

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Staff has reviewed the fee schedule for 2020. We have updated some of the Wausau municipal code references since the zoning code rewrite. Additional fees to be added to the fee schedule include home occupation permits and Tourist Rooming Houses (VRBOs AirBNB). Both of these uses are now codified and regulated in the zoning code. They also serve as a protection to residents making the investment in their home.

We have proposed triple fees for work started without permits. We have had some issues with contractors starting projects without permits. Double permit fees have not been enough to dissuade this behavior so we are proposing triple fees.

Finally, we are recommending increases to the park dedication fees. Park Dedication fees are collected in lieu of land dedication when new development is proposed. The City's Comprehensive Outdoor Recreation Plan guides staff on park development. Park dedication fees are utilized to construct neighborhood parks in newly developed areas where park land is available. Fees are also utilized to purchase park land in areas where a park is identified as a need. Staff reviewed the current fees and the costs associated with providing neighborhood parks and identified that current fees cover a minimal portion of what it takes to build a park. We also gathered fees from neighboring communities and other similar sized municipalities in Wisconsin. Fees varied quite a bit. The recommended increases are in the attached fee schedule. The increase is recommended to further support the costs of providing parks to new subdivisions and multi-family developments.

**Cc: Katie Rosenberg, Mayor**  
**Eric Lindman, DPW & Utilities Director**

# City of Wausau Electrical Permit Fee Schedule 2020

| <b>RESIDENTIAL - ONE- AND TWO-FAMILY:</b>                                        | <b>2020 Fee</b>          |
|----------------------------------------------------------------------------------|--------------------------|
| Inspection                                                                       |                          |
| ▪ New one- and two-family dwellings                                              | \$.11/sq ft;             |
| ▪ Additions and alterations to one- and two-family dwellings (including garages) | \$.14/sq ft;             |
| ▪ Rewiring of existing one- and two-family dwellings                             | \$50 +<br>\$3.35/circuit |
| ▪ Attached or detached garages                                                   | \$.075/sq ft             |
| ▪ New service only for existing one- and two-family dwellings                    | \$55                     |

| <b>COMMERCIAL, INDUSTRIAL, AND MULTI-FAMILY:</b>                                                                         | <b>2020 Fee</b>             |
|--------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| ▪ New construction of apartments (three-family and over), row housing, and multi-family dwellings (or additions thereto) | \$.085/sq ft                |
| ▪ New construction of local business, institutional, and office buildings (or additions thereto)                         | \$.095/sq ft                |
| ▪ New construction of manufacturing and industrial buildings (or additions thereto)                                      | \$.06/sq ft                 |
| ▪ New construction of warehouses (or additions thereto)                                                                  | \$.05/sq ft                 |
| ▪ Electric sign wiring (any size)                                                                                        | \$90/sign                   |
| ▪ Service changes for industrial, commercial, and multi-family structures                                                |                             |
| ▪ 200 Amps, one meter                                                                                                    | \$75                        |
| ▪ 400 Amps, one meter                                                                                                    | \$90                        |
| ▪ 600 Amps, one meter                                                                                                    | \$105                       |
| ▪ 800 Amps, one meter                                                                                                    | \$120                       |
| ▪ 1,000 Amps and over, one meter                                                                                         | \$135                       |
| ▪ Additional meters                                                                                                      | \$10/each                   |
| ▪ Fire Alarm Systems (installations or additions/ modifications to existing)                                             |                             |
| ▪ Plan Review                                                                                                            | \$50                        |
| ▪ Inspection                                                                                                             | \$.03/sq ft<br>\$75 minimum |

| <b>COMMERCIAL, INDUSTRIAL, AND MULTI-FAMILY (continued):</b> | <b>2020 Fee</b> |
|--------------------------------------------------------------|-----------------|
| ▪ PV (Photovoltaic) Systems:                                 |                 |
| ▪ Residential                                                | \$200           |
| ▪ Commercial (7½ KW or less)                                 | \$200           |
| ▪ Commercial (more than 7½ KW)                               | \$300           |
| ▪ Lighting / Emergency Lighting:                             |                 |
| ▪ Testing Fee                                                | \$125           |

| <b>MISCELLANEOUS FEES:</b>                                                                           | <b>2020 Fee</b>                                                                     |
|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| ▪ Special inspections other than those listed above                                                  | \$55                                                                                |
| ▪ Administrative fee (application not completed/additional review required)                          | 10% of Permit Fee;<br>\$30 minimum                                                  |
| ▪ Minimum permit fee (one- and two-family)                                                           | \$55                                                                                |
| ▪ Minimum permit fee (commercial, industrial, and multi-family)                                      | \$75                                                                                |
| ▪ Same day or Reinspection fee                                                                       | \$65                                                                                |
| ▪ Failure to obtain permit prior to commencement of work; starting work without State approved plans | <del>Triple</del> <span style="background-color: yellow;">Triple</span> double fees |

# City of Wausau Plumbing Permit Fee Schedule

2020

| CATEGORY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2020 Fee                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <ul style="list-style-type: none"> <li>New or reconstructed water service or private water main, from curb stop, two inches or less, each one hundred feet or fraction thereof;                             <ul style="list-style-type: none"> <li>For each additional inch in diameter.</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$25<br>\$10                         |
| <ul style="list-style-type: none"> <li>New or reconstructed sanitary building sewer or private sewer main, from main, curb or lot line, any size, each one hundred feet or fraction thereof.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$25                                 |
| <ul style="list-style-type: none"> <li>New or reconstructed building or area storm sewer extension from main, curb or lot line, any size, each one hundred feet or fraction thereof.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$25                                 |
| <ul style="list-style-type: none"> <li>Catch Basin</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$10                                 |
| <ul style="list-style-type: none"> <li>Manhole</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$10                                 |
| <ul style="list-style-type: none"> <li>Retention / infiltration area (per 2,000 square feet)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$25                                 |
| <ul style="list-style-type: none"> <li>For each fixture or fixture connection in a one- or two-family dwelling.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$10                                 |
| <ul style="list-style-type: none"> <li>For each fixture or fixture connection in a commercial building.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$10.50                              |
| <ul style="list-style-type: none"> <li>New or reconstructed water distribution piping, any size, each one hundred feet or fraction thereof.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | \$15                                 |
| <ul style="list-style-type: none"> <li>New or reconstructed building drain, soil waste, vent piping, or downspouts, any size, each one hundred feet or fraction thereof.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | \$15                                 |
| <ul style="list-style-type: none"> <li>Water distribution and drain piping for manufacturing processes, each one hundred feet or fraction thereof.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$15                                 |
| <ul style="list-style-type: none"> <li>Private sewage disposal system.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$50                                 |
| <ul style="list-style-type: none"> <li>Clear water pit and pump</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$50                                 |
| <ul style="list-style-type: none"> <li>Swimming pool.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$50                                 |
| <ul style="list-style-type: none"> <li>Private water well (five-year permit—issued by Wausau Water Works).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | \$100                                |
| <ul style="list-style-type: none"> <li>To abandon water or sewer systems when wrecking or moving a building.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$50                                 |
| <ul style="list-style-type: none"> <li>To abandon a private well and/or septic system.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$50                                 |
| <ul style="list-style-type: none"> <li>Administrative fee (application not completed/additional review required).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 10% of permit fee;<br>\$30 minimum   |
| <ul style="list-style-type: none"> <li>Minimum fee (for projects requiring one inspection).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | \$50                                 |
| <ul style="list-style-type: none"> <li>Minimum fee (for projects requiring more than one inspection).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$65                                 |
| <ul style="list-style-type: none"> <li>Same day or Reinspection fee.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$65                                 |
| <ul style="list-style-type: none"> <li>Failure to obtain permit prior to commencement of work; starting work without State approved plans</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Triple</b> <del>double</del> fees |
| (b) Fixtures, appliances and appurtenances shall include but not be limited to: water closets, wash basins, bathtubs, shower stalls, urinals, service sinks, sinks, dishwashers, garbage grinders, disposals, laundry tubs, floor drains, site drains, drinking fountains, bar connections, soda fountains, water-cooled refrigerators, ice cube machines, dental cuspidors, all type water heaters, water-cooled motor connections, all water conditioning units, sumps, drain tile receivers, footing or subsoil drain discharge points, inside roof drains, catch basins, yard drains, grease and oil separators, pumps and ejectors, water or waste connection to machines, water or waste connection to any appliance, buried lawn sprinklers, drink dispensers, swimming pools, water-cooled air conditioners and connections, mobile home connections, fire protection installation, private sewage disposal, water wells and injection equipment, CCC assembly. |                                      |
| <ul style="list-style-type: none"> <li>Excavation Permits</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | \$65                                 |

# City of Wausau Building, Housing and Zoning Fee Schedule 2020

| ONE- AND TWO-FAMILY:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 2020 Fee                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Plan Review</b> <ul style="list-style-type: none"> <li>▪ New one- and two-family dwellings</li> <br/> <li>▪ Additions and alterations to one- and two-family dwellings (not including garages) <ul style="list-style-type: none"> <li>▪ 500 sq. ft. or less</li> <li>▪ Over 500 sq. ft.</li> </ul> </li> <br/> <li>▪ New accessory buildings or additions thereto over 160 sq. ft.</li> </ul>                                                                                                                                                                                                                                                          | <p>\$.03/sq ft:<br/>\$65 minimum</p><br><p>\$30<br/>\$.03/sq ft;<br/>\$60 minimum</p><br><p>\$.03/sq ft;<br/>\$30 minimum</p>                                                                                                            |
| <b>Inspection Fees</b> <ul style="list-style-type: none"> <li>▪ New one- and two-family dwellings</li> <br/> <li>▪ New accessory buildings for one- and two-family dwellings <ul style="list-style-type: none"> <li>▪ 160 sq. ft. or less</li> <li>▪ Over 160 sq. ft.</li> </ul> </li> <br/> <li>▪ Additions to one- and two-family dwellings</li> <br/> <li>▪ Alterations to one- and two-family dwellings</li> <br/> <li>▪ Siding, soffits, fascia, roofing, window replacement, and retaining walls over 4' in height</li> <br/> <li>▪ All other buildings, structures, alterations, repairs, where the square footage cannot be determined</li> </ul> | <p>\$.11/sq ft;<br/>\$205 minimum</p><br><p>\$50<br/>\$.11/sq ft;<br/>\$75 minimum</p><br><p>\$.11/sq ft;<br/>\$75 minimum</p><br><p>\$.11/sq ft;<br/>\$50 minimum</p><br><p>\$50</p><br><p>\$10/\$1,000 valuation;<br/>\$50 minimum</p> |
| <b>Heating, Ventilating, and Air Conditioning</b> <ul style="list-style-type: none"> <li>▪ Heating—residential one- and two-family dwellings and accessory buildings (including duct work)</li> <br/> <li>▪ Air conditioning (permanent installation)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                          | <p>\$43.75/unit up to and including 150,000 BTU units; additional fee of \$6.00 per each 50,000 BTUs or fraction thereof</p><br><p>\$43.75/unit</p>                                                                                      |
| <b>Certificates of Occupancy</b> <ul style="list-style-type: none"> <li>▪ Per residential unit</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>\$25/unit</p>                                                                                                                                                                                                                         |

# City of Wausau Building, Housing and Zoning Fee Schedule 2020

| ONE- AND TWO-FAMILY:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 2020 Fee |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <b>Special Fees</b> <ul style="list-style-type: none"> <li>▪ Land Use Permit (Zoning Certificate) \$26</li> <li>▪ State of Wisconsin seal (when required) \$40</li> <li>▪ Early Start — Footings/Foundation \$105</li> <li>▪ Razing <ul style="list-style-type: none"> <li>▪ One- and two-family dwellings \$70</li> <li>▪ Accessory buildings ≤ 500 sq. ft. \$50</li> <li>▪ Accessory buildings &gt; 500 sq. ft. \$70</li> </ul> </li> <li>▪ Same day or Reinspection fee \$65</li> <li>▪ Administrative fee (application not completed/additional review required) 10% of permit fee; \$30 minimum</li> <li>▪ Failure to obtain permit prior to commencement of work. Payment of any fee in this subsection, however, shall in no way relieve any person of the penalties that may be imposed for violation of this chapter. Triple double fees</li> </ul> |          |
| COMMERCIAL:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2020 Fee |
| <b>Plan Review</b> <ul style="list-style-type: none"> <li>▪ All categories \$0.10/sq ft; \$80 minimum</li> <li>▪ Separate submittals after initial approval (HVAC, trusses, etc.) \$80</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |          |
| <b>Inspection Fees</b> <ul style="list-style-type: none"> <li>▪ Residential and institutional \$.13/sq ft; \$85 minimum</li> <li>▪ Offices and mercantile \$.11/sq ft; \$85 minimum</li> <li>▪ Warehouses, factories and building shells \$.09/sq ft; \$85 minimum</li> <li>▪ Reroofing; and all occupancies where the square footage cannot be determined \$10/\$1,000 valuation; \$85 minimum</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                   |          |
| <b>Heating, Ventilating, and Air Conditioning</b> <ul style="list-style-type: none"> <li>▪ Heating (including duct work) \$43.75/unit, up to and including 150,000 BTU units; additional fee of \$6.00 per each 50,000 BTUs or fraction thereof; \$87.50 minimum</li> <li>▪ Duct work only or alterations to existing duct work \$.019/sq ft; \$87.50 minimum</li> <li>▪ Air conditioning (permanent installation) \$43.75/unit</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                   |          |

# City of Wausau Building, Housing and Zoning Fee Schedule 2020

| <b>COMMERCIAL:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>2020 Fee</b>                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Certificates of Occupancy <ul style="list-style-type: none"> <li>Residential units</li> <li>Other occupancies</li> </ul>                                                                                                                                                                                                                                                                                                                                                                       | \$16.50/unit<br>\$36                                  |
| Special Fees <ul style="list-style-type: none"> <li>Land Use Permit (Zoning Certificate)</li> <li>Early Start — Footings/Foundation</li> <li>Razing — commercial structures</li> <li>Parking lot permits (15.52.020)</li> <li>Same day or Reinspection fee</li> <li>Failure to obtain permit prior to commencement of work. Payment of any fees in this subsection, however, shall in no way relieve any person of the penalties that may be imposed for violation of this chapter.</li> </ul> | \$75<br>\$120<br>\$110<br>\$70<br>\$75<br>double fees |
| <b>MISCELLANEOUS FEES:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>2020 Fee</b>                                       |
| Tourist Rooming House (VRBO, airBNB)                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$60                                                  |
| Application and Publication Fee for Building Advisory Board (Class 1 Notice) (15.04.080)                                                                                                                                                                                                                                                                                                                                                                                                       | \$200                                                 |
| Application and Publication Fees (WMC Chapters <del>23.56, 23.58, 23.78 and 23.90</del> 23.10.13, 23.10.31, 23.10.32) <ul style="list-style-type: none"> <li>Zoning Board of Appeals – Variances, Appeals</li> <li>Plan Commission -- Amendments, Conditional Uses, UDD Petitions</li> </ul>                                                                                                                                                                                                   | \$200<br>\$400<br>\$550                               |
| Central Business District (Downtown) Obstruction Permit                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$20                                                  |
| Certified Survey Map Review <ul style="list-style-type: none"> <li>Extraterritorial Reviews</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                         | \$100<br>\$70                                         |
| Drive Approach Permits (12.20.010)                                                                                                                                                                                                                                                                                                                                                                                                                                                             | \$26                                                  |
| Excavation Permits (12.40.010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | \$65                                                  |
| Fences                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$50                                                  |
| Home Occupation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$20                                                  |
| Moving Buildings Over Public Ways (15.40.010) <ul style="list-style-type: none"> <li>Garages</li> <li>Houses or other buildings</li> </ul>                                                                                                                                                                                                                                                                                                                                                     | \$50<br>\$215                                         |

# City of Wausau Building, Housing and Zoning Fee Schedule 2020

| MISCELLANEOUS FEES (continued):                                                                                                                                                                                                                                                            | 2020 Fee                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parkland Dedication Fees: (WMC Chapter 21.16)                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                 |
| <ul style="list-style-type: none"> <li>Portable Storage Containers (<del>23.12.255</del> 23.03.30)</li> </ul>                                                                                                                                                                              | <del>\$400</del> \$310/lot<br><del>\$500</del> \$370/lot<br><del>\$200</del> \$150/unit<br><del>\$400</del> \$310/single-family unit;<br><del>\$500</del> \$185/duplex unit; and<br><del>\$200</del> \$150/apartment unit<br><del>\$400</del> \$310/additional lot<br>\$150 + \$25/lot<br>\$100 |
|                                                                                                                                                                                                                                                                                            | \$55                                                                                                                                                                                                                                                                                            |
| Resubmittal Fee (for revised plans and requires new permits)                                                                                                                                                                                                                               | \$100 + plan review                                                                                                                                                                                                                                                                             |
| Signs (15.48.050)<br>Where signs have two or more faces, the permit fee shall be computed on each face of such sign. Also, the charge is per sign. <ul style="list-style-type: none"> <li>Business signs</li> <li>Advertising signs</li> <li>Temporary signs (fee is per month)</li> </ul> | <del>\$1.07</del> \$1.03 per square foot of gross area;<br>minimum fee \$40/sign<br><br>\$1.30 per square foot of gross area;<br>minimum fee \$60/sign<br><br><del>\$1.07</del> \$1.03 per square foot of gross area;<br>minimum fee \$40/sign                                                  |
| Special Inspection Fees <ul style="list-style-type: none"> <li>Community-based residential facilities, taverns, day care centers, massage establishments, inspection for new tenant/change of tenant for certificate of occupancy, etc.</li> </ul>                                         | \$155                                                                                                                                                                                                                                                                                           |
| Storm Water Management (WMC Chapter 15.56)                                                                                                                                                                                                                                                 | Established by Resolution                                                                                                                                                                                                                                                                       |
| Street Privilege Permits (12.44.050)                                                                                                                                                                                                                                                       | \$75                                                                                                                                                                                                                                                                                            |
| Swimming Pools (19.32.020)                                                                                                                                                                                                                                                                 | <del>\$60</del> \$55                                                                                                                                                                                                                                                                            |
| Zoning Verification Letters, Combine Parcel Requests, Building Code Compliance Letters, Other Forms Requiring Zoning Review, etc. <ul style="list-style-type: none"> <li>Residential</li> <li>Commercial</li> </ul>                                                                        | \$35<br>\$60                                                                                                                                                                                                                                                                                    |

NOTE: In determining the square footage of a project, the square footage of all basements, attached garages or carports, and roofed over decks or porches shall be included.

NOTE: In determining costs, all construction shall be included with the exception of heating, air conditioning, electrical, or plumbing work. Electrical and plumbing fees shall be paid under Chapter 18.20 and Chapter 19.16, respectively.

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

Temporarily suspending W.M.C. 5.64.036 Drive-Up Sales for a period expiring on October 31, 2020, 11:59 p.m.

Committee Action:      Approved 5-0

Fiscal Impact:

**File Number:**            20-0317

**Date Introduced:**      May 26, 2020

**FISCAL IMPACT SUMMARY**

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

**RESOLUTION**

**WHEREAS**, the State of Wisconsin, Department of Health Services, under the authority of Wis. Stat. §252.02(3) and at the direction of Governor Tony Evers had issued Emergency Order #8 Updated Mass Gathering Ban (“Emergency Order #8”); and,

**WHEREAS**, Emergency Order #8 provided that breweries, brewpubs, wineries, distilleries, and alcohol beverage retailers, including bars, were closed to the public except “carry-out” sales of alcohol beverages and food are allowed, if permitted by state law and municipal ordinance; and

**WHEREAS**, in response to Emergency Order #8, the State of Wisconsin, Department Revenue (“DOR”) had issued clarification of permissible sale and distribution activities during the public health emergency through emergency guidance issued at <https://www.revenue.wi.gov/DORNews/NEW-AB-COVID-19-Guidance-Document.pdf> (“DOR Guidance”); and,

**WHEREAS**, the DOR Guidance provided in part that alcohol beverages may be ordered on a “carry-out” basis, as long as face-to-face sales are made; and

**WHEREAS**, the DOR has further advised that it “recognizes this is a difficult time for members of the alcohol and beverage industry and the public;” and,

**WHEREAS**, DOR has made known that it “will not take enforcement action on establishments who are in compliance with COVID-19 related alcohol beverage guidance and choose to offer “carry-out” sales of alcohol beverages directly outside their premises;” and,

**WHEREAS**, W.M.C. §5.64.036 Drive-up Sales may be interpreted as an impediment to the application and provisions of the DOR Guidance; and

**WHEREAS**, the Common Council on April 14, 2020 had previously ratified Executive Declaration No. 3 relating to suspension of W.M.C. §5.64.036 Drive-up sales, and such declaration is no longer in effect; and,

**WHEREAS**, the Common Council desires to continue to provide assistance to its local business, breweries, brewpubs, wineries, distilleries, and alcohol beverage retailers, including bars, during the COVID-19 pandemic and recovery period.

**NOW THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Wausau, that the provisions of W.M.C. §5.64.036 Drive-up Sales are temporarily suspended with respect to bars and taverns to permit the “carry-out” sales of alcohol beverages in original, sealed containers until October 31, 2020 at 11:59 p.m. Breweries and Class “B” license holders may continue to sell growlers of beer for “carry-out” only.

**BE IT FURTHER RESOLVED** nothing in this Resolution shall be deemed to permit licensed bars and taverns to make deliveries of alcohol.

**BE IT FURTHER RESOLVED** all sales of alcohol beverages must still occur in a face-to-face transaction and establishments must still abide by state and municipal closing hours for “carry- out” sales.

Approved:

---

Katie Rosenberg, Mayor

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, May 18, 2020, at 5:15 pm, (Council Chambers)

Members Present: Herbst, Rasmussen, Peckham, Wadinski, and McElhaney

Others Present: Alfonso, Kremer, Goede, Rosenberg, Barteck, Bliven, Hebert, Polley, Fitzgerald, Neal, Tyler Vogt, Mark Craig, Kelly Ballard & Leslie Patterson

### **Discussion and possible action to extend expired Executive Declaration No. 3 - Suspending WMC 5.64.036, to permit carry-out sales of alcohol beverages in original, sealed containers**

Rasmussen explained at the end of his term Mayor Mielke had allowed licensed establishments to sell sealed, closed containers of alcohol for curbside collection. The ordinance was originally adopted to address Click & Collect and prohibit or drive-up alcohol sales. This will extend that suspension although we don't want it to be permanent, so a sunset date should be inserted. Alfonso clarified the order still requires a face-to-face sale to check the ID.

Motion by McElhaney, second by Peckham to approve extending the suspension of WMC 5.64.036 with a sunset date of 10/31/2020. Motion carried 5-0.

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

**CONFIRMATION OF MAYOR'S APPOINTMENTS**

to Boards, Commissions and Committees: *Safe Elections Task Force*

**File Number:** 20-0503

**Date Introduced:** May 26, 2020

**Safe Elections Task Force**

Leslie Kremer                      407 Grant St                      715+261-6622  
\*Election Official Appointee

Larry Gordon                      211 Freedom Way                      715-848-9350  
\*Public Health Appointee

Becky McElhaney                      4050 Ashland Ave                      715-581-3762  
\*City Council Appointee

Lisa Rasmussen                      1310 Crescent Dr                      715-675-4872  
\*City Council Appointee

Peter Rotter                      1005 Sturgeon Eddy Rd                      715- 843-5463  
\*Citizen Appointee

Approved:

---

Katie Rosenberg, Mayor

**RESOLUTION OF THE FINANCE COMMITTEE**

Authorizing renewal of parking lot lease with Colonial Property 4, LLC (Grant and 3<sup>rd</sup> Streets)

Committee Action:      Approved 4-1

Fiscal Impact:          Annual Loss from Parking Operations \$15-20,000

File Number:            92-0623

Date Introduced:      May 26, 2020

**FISCAL IMPACT SUMMARY**

|               |                                                                                                                                                                            |                                                                     |                                                             |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------------------|
| <b>COSTS</b>  | <i>Budget Neutral</i>                                                                                                                                                      | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |                                                             |
|               | <i>Included in Budget:</i>                                                                                                                                                 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | <i>Budget Source: Parking fund</i>                          |
|               | <i>One-time Costs:</i>                                                                                                                                                     | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | <i>Amount:</i>                                              |
|               | <i>Recurring Costs:</i>                                                                                                                                                    | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | <i>Amount: Net loss from parking operations \$15-20,000</i> |
| <b>SOURCE</b> | <i>Fee Financed:</i>                                                                                                                                                       | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | <i>Amount: \$15,003</i>                                     |
|               | <i>Grant Financed:</i>                                                                                                                                                     | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | <i>Amount:</i>                                              |
|               | <i>Debt Financed:</i>                                                                                                                                                      | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | <i>Amount</i> <i>Annual Retirement</i>                      |
|               | <i>TID Financed:</i>                                                                                                                                                       | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | <i>Amount:</i>                                              |
|               | <i>TID Source: Increment Revenue <input type="checkbox"/> Debt <input type="checkbox"/> Funds on Hand <input type="checkbox"/> Interfund Loan <input type="checkbox"/></i> |                                                                     |                                                             |

**RESOLUTION**

**WHEREAS**, the current three-year lease agreement between the City and Colonial Property 4, LLC for the lease of the parking lot at Third and Grant Streets, expired on March 31, 2020; and

**WHEREAS**, the owner of the lot would like to renew the lease with the same terms and conditions, except he is no longer interested in utilizing six additional parking stalls to the stalls referenced in subsection A of the agreement; and

**WHEREAS**, your Finance Committee, at their May 5, 2020 meeting, reviewed the request and recommends the City renew the lease for a three-year period, under the terms and conditions set forth in the proposed lease agreement attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Wausau that the proper City officials are hereby authorized and directed to execute a three-year agreement for the lease of the Third and Grant Streets parking lot from Colonial Property 4, LLC, a copy of which is attached hereto and incorporated herein by reference.

Approved:

\_\_\_\_\_  
Katie Rosenberg, Mayor

## **FINANCE COMMITTEE**

Date and Time: Tuesday, May 5, 2020 @ 5:45 pm., Council Chambers

Members Present *In person*: Rasmussen, Ryan, Herbst, and Watson. *By WebEx*: Martens.

Others Present: Groat, Rosenberg, Jacobson, Goede, Van Krey, Klein, Lindman, Rubow, Thompson, Schock, Sorenson

### **Discussion and possible action on renewal of parking lot lease with Colonial Property 4, LLC (Grant and 3rd Streets)**

Groat explained the parking lot has been leased by the City for over 25 years. The lot has 44 stalls. The lot is managed by parking pay stations. The financial terms remain unchanged. Language in the agreement were modified to reflect the use of pay stations and to allow parking instruction signage. The parking lot is used by downtown patrons. Ryan does not believe the city should lease the lot since parking revenues do not fund the full lease.

Motion by Herbst, second by Martens to approve the lease as presented. Motion carried 4-1. (*Ryan was the dissenting vote.*)

AGREEMENT FOR LEASE OF PARKING LOT—  
THIRD AND GRANT STREETS

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2020, between the City of Wausau, a municipal corporation of the State of Wisconsin, hereinafter referred to as "CITY," and Colonial Property 4, LLC, a Wisconsin limited liability company, hereinafter referred to as "OWNER";

WITNESSETH:

WHEREAS, OWNER, is the owner of the parking lot on the southeast corner of Third and Grant Streets, in the City of Wausau, which parking lot is delineated on "Exhibit A" attached hereto and incorporated hereby reference, and shall hereinafter be referred to as "LOT"; and

WHEREAS, CITY wishes to lease LOT so as to provide parking to the public, allowing OWNER to utilize portions of LOT for private parking, and OWNER will permit the lease of LOT, all upon certain terms and conditions.

NOW, THEREFORE, the parties hereto agree as follows:

1. Except as hereinafter agreed, CITY shall have the exclusive use of LOT for the provision of whatever parking arrangement CITY wishes, the current configuration providing for forty-four (44) parking stalls; that in return, CITY agrees to pay OWNER One Thousand Nine Hundred Seventy-five and no/100 Dollars (\$1,975.00) per month plus an amount of money equal to one twelfth (1/12) of the net real estate tax due for LOT, such payment to be made by CITY to owner on the first (1<sup>st</sup>) of the month.
2. This Lease shall be for a three-year (3-year) term, commencing on April 1, 2020, and terminating on March 31, 2023. OWNER shall have the following options with regard to parking:
  - A. Any time during the pendency of the lease term, OWNER may utilize for its own use, six (6) parking stalls; this option may be exercised upon ninety-day (90-day) notice, in writing, to CITY; lease payment from CITY to OWNER, in this event, would be One Thousand Six Hundred Fourteen and 55/100 Dollars (\$1,614.55) for the remaining thirty-eight (38) parking stalls.
  - B. Notwithstanding subparagraph A above, CITY shall continue to pay the entire tax bill for LOT and continue to plow entire LOT as provide for in paragraph 4; however, the cost of maintenance referred to in paragraph 4 shall be prorated between CITY and OWNER based on the percent utilized by each.
  - C. OWNER shall have adequate access to and from any privately utilized stalls and Grant Street.
  - D. Upon the exercise of any private parking options herein, CITY shall remove the meters for those stalls but the pipes shall remain in place.
  - E. In the event OWNER does utilize stalls for its own use, then in that event the term "LOT" as used in this Agreement shall refer only to those portions of the demised premises used by the public.

Recording Area

Name and Return Address

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

(\$30 Charge to City of Wausau)

PIN: 37.291.4.2907.253.0240

3. LOT shall be continuously used as a parking lot. No part of LOT shall be used for any purpose which constitutes a nuisance or which is illegal, offensive, termed hazardous by insurance companies, or which may make void or voidable any insurance on the LOT or which may increase the premiums therefore. CITY will keep LOT clean and attractive in appearance at all times.
4. CITY shall keep LOT, and every part thereof and any fixtures or equipment contained therein, in good condition and repair including all parking meters, the asphalt surface, and the grass. As used in paragraph 2, the term "repairs" shall include replacement and other improvements as are necessary to maintain the property in good order and condition. CITY shall plow snow in LOT when needed and shall avoid placing any snow adjacent to the building located at 615 North Third Street. City shall remove snow from sidewalks adjacent to LOT on Third Street and Grant Street and otherwise sweep and maintain sidewalks.

Notwithstanding anything to the contrary contained herein, CITY will keep, maintain, and preserve LOT in a first class condition. CITY will indemnify and hold harmless OWNER from and against all loss, claims, damages, costs, or expenses suffered by OWNER by reason of any repairs made by CITY.

5. CITY will not make or allow any alterations, additions, improvements, or utility installations upon LOT without first obtaining the written consent of OWNER. The term "utility installations," as used herein, shall include without limitation power panels, utility transformers, light fixtures, conduits, and wiring.
6. At the termination of this Lease, CITY shall remove all parking meters, pay stations, pipes, parking signage and any alterations and additions erected by CITY, and restore LOT to an unmetered condition including the repair of any damaged areas on the asphalt surface.
7. CITY shall not display, inscribe, print, maintain, or affix any signs, lettering, placards, or other advertising matter or material on LOT without the prior written consent of OWNER provided, however, that metering instructions and parking rules signage may be installed within the parking lot.
8. CITY shall not voluntarily or by operation of law assign, transfer, mortgage, lease, sublet, grant license or rights to a concessionaire or otherwise transfer or encumber all or any part of CITY's interest in this Lease or in LOT without OWNER's prior written consent. Any attempted assignment, transfer, mortgage, use, lease, occupancy, encumbrance, or subletting without such consent shall be void and shall constitute a default under this Lease.
9. Nothing in this Lease shall be construed so as to authorize or permit any insurer of OWNER or CITY to be subrogated to any right of OWNER or CITY against the other party arising under this Lease. OWNER and CITY each hereby release the other to the extent of any perils to be insured against by either of the parties under the terms of this Lease, whether or not such insurance has actually been secured, and to the extent of their respective insurance coverage for any loss or damage caused by any such casualty, even if such incidents shall be brought about by the fault or negligence of either party or persons for whose acts or negligence the other party is responsible. All insurance policies to be provided under this Lease by either OWNER or CITY shall contain a provision that they are not invalidated by the foregoing waiver. Such waiver shall, however, cease to be effective if the existence thereof precludes either OWNER or CITY from obtaining any such policy.
10. CITY hereby agrees that OWNER shall not be liable for injury to CITY's business or any loss of income or other consequential damages or for damage to the equipment or other property of CITY, CITY's employees, invitees, customers, sublessees, agents, occupants, contractors, public citizens, or any other person in or about LOT, nor shall OWNER be liable for injury to CITY's employees, agents, contractors, occupants, invitees, customers, sublessees, public citizens, or any other person in or about LOT.

CITY shall indemnify, defend and hold harmless OWNER from and against any and all claims arising from CITY's use of LOT, or from the conduct of CITY's business or from any activity, work or things done, permitted or suffered by CITY in or about LOT or elsewhere and shall further indemnify, defend and hold harmless OWNER from and against any and all claims arising from any breach or default in the performance of any obligation on CITY's part to be performed under the terms of this Lease, or arising from any negligence of CITY, or any of CITY's sublessees, agents, customers, invitees, contractors, occupants, or employees, and from and against all costs, attorneys' fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon; and in case any action or proceeding be brought against OWNER by reason of any such claim, CITY, upon notice from OWNER, shall defend the same at CITY's expense by counsel satisfactory to OWNER. CITY, as a material part of consideration to OWNER, hereby assumes all risk of damage to property or injury to persons, in, upon or about LOT arising from any cause, and CITY hereby waives all claims in respect thereof against OWNER; however, the provisions in this paragraph shall not apply to those cases in which OWNER is negligent.

11. OWNER shall obtain before the Commencement Date, and shall maintain through the expiration or termination of this Lease, a policy of commercial general liability insurance on LOT with limits of public liability not less than \$1,000,000 for death/or bodily injury, including personal injury, and property damage liability of not less than \$1,000,000 per occurrence. Such insurance shall not cover any leasehold improvements installed on LOT by or for the benefit of CITY at its expense, or CITY's parking meters or other equipment, or personal property located in LOT.
12. CITY will, at all times during the term of this Lease, and at its sole cost and expense, maintain the following insurance in full force and effect:
  - A. All-risk property insurance covering the full replacement value of all of CITY's leasehold improvements, equipment, parking meters and personal property within LOT.
  - B. Commercial general liability insurance naming OWNER, CITY, and any mortgagee designated by OWNER as the insured, to insure against injury to property, person or loss of life arising out of the ownership, use, occupancy, or maintenance of LOT with limits of public liability not less than \$1,000,000 per occurrence. For each year in which this Lease is in effect, CITY shall provide to OWNER and any party designated by OWNER a copy of the insurance policy endorsement or wording showing that OWNER and such other parties have been added as additional named insureds. The policy described in this subsection B shall apply on a primary basis to OWNER even if OWNER has other liability insurance coverage. The policy shall contain a supplemental endorsement covering contractual liability voluntarily assumed by the insured under this Lease.
13. The rights of CITY under this Lease shall be and are subject and subordinate at all times to the lien of any mortgage or mortgages now or hereafter in force against LOT and to all advances made or hereafter to be made upon the security thereof, and to all renewals, modifications, consolidations, replacements, and extensions thereof; provided, however, that CITY's rights under this Lease and possession of LOT shall not be disturbed so long as CITY is not in default hereunder. This paragraph is self-operative and no further instrument of subordination shall be required. In confirmation of such subordination CITY shall promptly execute such further instruments as may be requested by OWNER, including an instrument subordinating this Lease to the lien of any such mortgage or mortgages as shall be desired by OWNER and/or any mortgagees or proposed mortgages. CITY at the option of any mortgages agrees to attorn to such mortgagee in the event of a foreclosure sale or deed in lieu thereof. Failure of CITY to execute any of the above instruments within ten (10) days upon written request to do so by OWNER, shall constitute a breach of this Lease and OWNER will be entitled to, at its option; (i) execute, acknowledge, and deliver any such

instrument on behalf of CITY as CITY's attorney-in-fact (CITY hereby constituting and irrevocably appointing OWNER as CITY's attorney-in-fact for such purpose) and/or, (ii) cancel this Lease and terminate CITY's interest therein.

14. CITY shall in the event of the sale, assignment, or other transfer of OWNER's interest in LOT or in this Lease, or in the event of any proceeding brought for the foreclosure of, or in the event of exercise of the power of sale under any mortgage made by OWNER covering LOT, attorn to the transferee and recognize such transferee as OWNER under this Lease.
15. CITY shall at any time, upon not less than ten (10) days after the giving of written notice by OWNER, execute, acknowledge and deliver to OWNER or to such person designated by OWNER, a statement in writing (i) certifying that this Lease is unmodified and in full force and effect (or if modified, stating the nature of such modification and certifying that this Lease, as so modified, is in full force and effect) and the date to which the rent and other charges are paid in advance, if any, (ii) acknowledging that there are not, to CITY's knowledge, any uncured defaults on the part of OWNER hereunder, nor any offsets, counterclaims or defenses to the Lease on the part of CITY, or specifying such defaults if any are claimed, and (iii) certifying as to any other matters as may be reasonably requested by OWNER. Any such statement may be conclusively relied upon by any prospective purchaser or encumbrancer of LOT.
16. In the event any legal action is brought to enforce or interpret the provisions of this Lease, the prevailing party is entitled to recover all reasonable costs and expenses including reasonable attorneys' fees.
17. Each provision of this Lease or of any applicable governmental laws, ordinances, regulations, and other requirements with reference to the sending, mailing, or delivery of any notice or the making of any payment by OWNER to CITY or by CITY to OWNER shall be deemed to be complied with, when and if, the following steps are taken:
  - A. All payments required to be made by CITY to OWNER hereunder shall be payable to OWNER at Colonial Property 4, LLC, P.O. Box 928, Wausau, WI 54402, or such other addresses OWNER may specify from time to time by written notice delivered in accordance herewith.
  - B. Any notice or document required or permitted to be delivered hereunder shall be deemed to be delivered, whether actually received or not, when deposited in the United States mail, postage prepaid, certified or registered mail, addressed to the parties hereto at the respective addresses set out opposite their names as follows: CITY: City of Wausau, Attn: Director of Finance, Wausau City Hall, 407 Grant Street, Wausau, WI 54403; and for OWNER: Colonial Property 4, LLC, P.O. Box 928, Wausau, WI 54402, or at such other address as they have theretofore specified by written notice delivered in accordance herewith.
18. This Lease shall be governed by and be construed and interpreted in accordance with the laws of the State of Wisconsin.
19. This Agreement shall run with the land during this three-year (3-year) lease period and shall be binding upon OWNER, its successors in title, or assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Lease on the day and year first above written.

CITY OF WAUSAU

By: \_\_\_\_\_  
Katie Rosenberg, Mayor

BY: \_\_\_\_\_  
Leslie M. Kremer, Clerk

COLONIAL PROPERTY 4, LLC

By: \_\_\_\_\_  
Michael M. Priebe

STATE OF WISCONSIN     )  
                                          ) ss.  
COUNTY OF MARATHON )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above-named Katie Rosenberg, Mayor, and Leslie M. Kremer, Clerk of the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

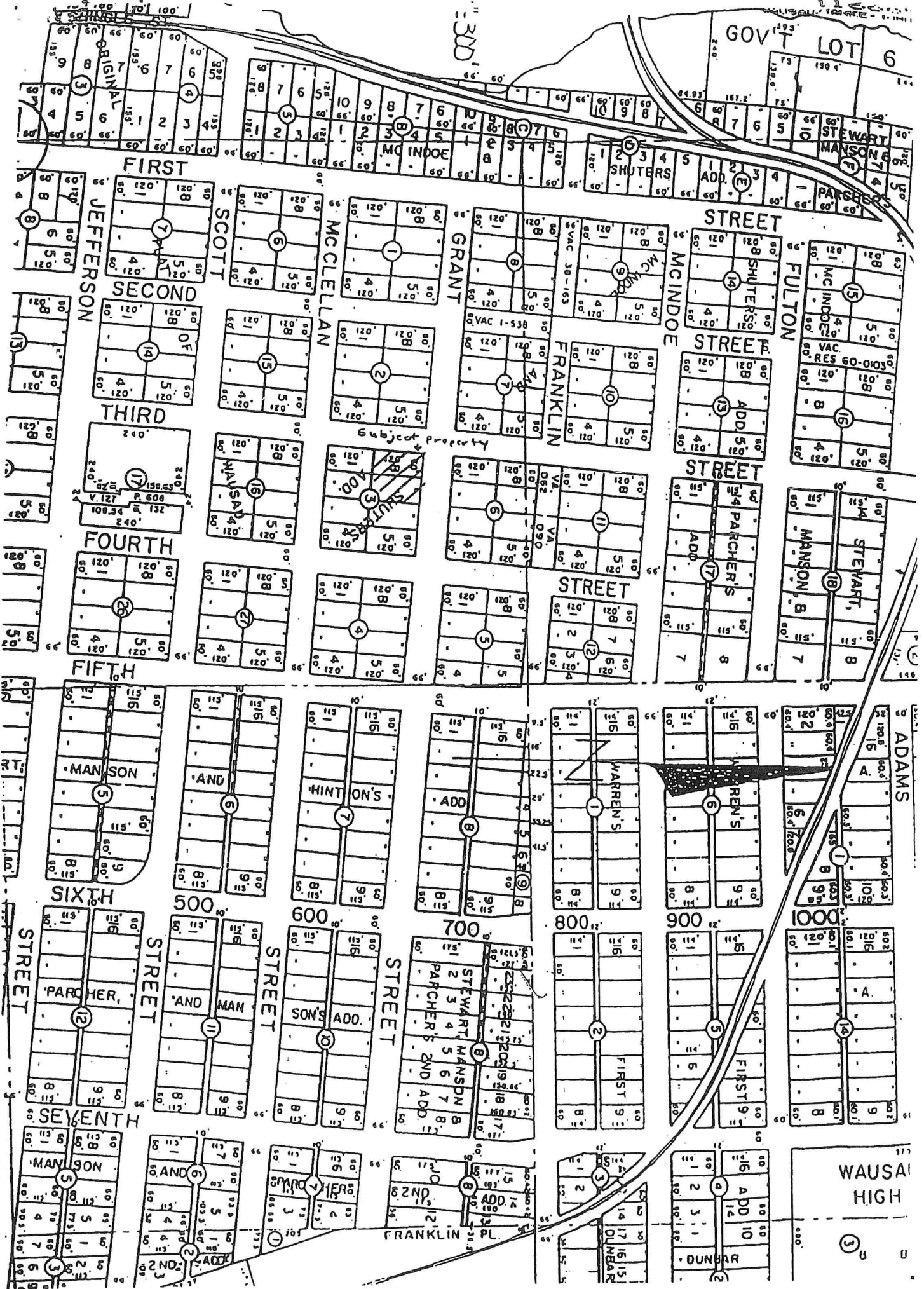
\_\_\_\_\_  
Notary Public, Wisconsin  
My commission: \_\_\_\_\_

STATE OF WISCONSIN     )  
                                          ) ss.  
COUNTY OF MARATHON )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above-named Michael M. Priebe of Colonial Property 4, LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

This instrument was drafted by Anne L. Jacobson  
City Attorney for the City of Wausau, 407 Grant  
Street, Wausau, WI 54403



LEGAL DESCRIPTION

PIN: 37.291.4.2907.253.0240

Lots Seven (7) and Eight (8) in Block Three (3) of McIndoe and Shuter's Addition to Wausau,  
Marathon County, Wisconsin.

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

**RESOLUTION OF THE FINANCE COMMITTEE**

Approving Reallocation of \$25,000 Budgeted for Brockmeyer Park Parking Lot to JoJo's Jungle Playground in Brockmeyer Park

Committee Action:      Approved 5-0

Fiscal Impact:          \$25,000

**File Number:**            19-1109

**Date Introduced:**      May 26, 2020

**FISCAL IMPACT SUMMARY**

|               |                                                                                                                                                                                       |                                                                     |                                        |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|----------------------------------------|
| <b>COSTS</b>  | <i>Budget Neutral</i>                                                                                                                                                                 | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |                                        |
|               | <i>Included in Budget:</i>                                                                                                                                                            | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | <i>Budget Source: TID 7</i>            |
|               | <i>One-time Costs:</i>                                                                                                                                                                | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | <i>Amount: \$25,000</i>                |
|               | <i>Recurring Costs:</i>                                                                                                                                                               | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | <i>Amount:</i>                         |
| <b>SOURCE</b> | <i>Fee Financed:</i>                                                                                                                                                                  | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | <i>Amount:</i>                         |
|               | <i>Grant Financed:</i>                                                                                                                                                                | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | <i>Amount:</i>                         |
|               | <i>Debt Financed:</i>                                                                                                                                                                 | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | <i>Amount</i> <i>Annual Retirement</i> |
|               | <i>TID Financed:</i>                                                                                                                                                                  | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | <i>Amount: \$25,000</i>                |
|               | <i>TID Source: Increment Revenue <input checked="" type="checkbox"/> Debt <input type="checkbox"/> Funds on Hand <input type="checkbox"/> Interfund Loan <input type="checkbox"/></i> |                                                                     |                                        |

**RESOLUTION**

**WHEREAS**, the city has supported the installation of a community fundraised Inclusive Playground to be constructed in Brockmeyer Park; and

**WHEREAS**, the City allocated \$100,000 from TID 7 to upgrade the parking lot to be ADA accessible as part of the playground project; and

**WHEREAS**, costs for the parking lot upgrade will use a portion of the \$100,000 allocated; and

**WHEREAS**, JoJo's Jungle has requested \$25,000 from the City to add a water feature back into the project that can now be completed with funds remaining from the group's project budget; and

**WHEREAS**, the TID 7 project plan includes landscaping and payments made at the discretion of the Common Council as project costs; and

**WHEREAS**, the Parks and Recreation Committee is recommending the reallocation of the unused budgeted parking lot TID 7 funds to contribute the \$25,000 to add the amenity of the water feature to JoJo's Jungle Inclusive Playground; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Wausau that the proper City officials are hereby authorized to reallocate \$25,000 from the TID 7 funds allocated for the Brockmeyer Park parking lot upgrade to JoJo's Jungle Inclusive Playground water feature; and

Approved:

---

Katie Rosenberg, Mayor

## **FINANCE COMMITTEE**

Date and Time: Tuesday, May 13, 2020 @ 5:15 pm., Council Chambers

Members Present *In person*: Rasmussen, Ryan, Herbst, and Watson. *By WebEx*: Martens.

Others Present: Groat, Rosenberg, Jacobson, Goede, Van Krey, Stratz, Lindman, Wesolowski, Barteck, Bruce Bohlken

### **Discussion and possible regarding budget reallocation for Brockmeyer Parking Lot Improvements and JoJo's Jungle**

Rasmussen explained at the last meeting there was discussion about a recommendation expected from Park & Rec Committee requesting the reprogramming of some of the funding that was approved for the parking lot at JoJo's Jungle to assist the developer, who has fundraised almost all of the money, to re-add an interactive water feature. They were able to achieve a lot of the paving work themselves at reduced costs. She noted this money is already available and would not require any additional borrowing.

Motion by Ryan, second by Watson to approve the budget reallocation for JoJo's Jungle. Motion carried 5-0.

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

**RESOLUTION OF THE FINANCE COMMITTEE**

Approving the Community Development Block Grant Program Action Plan adding Coronavirus Aid, Relief, and Economic Security (CARES) Act funding and the Reprogramming Homeowner Rehabilitation Revolving Loan Funds into CARES initiatives.

Committee Action:      Approved 5-0

Fiscal Impact:            +\$371,608 in CARES Funds plus \$100,000 in reprogrammed funding

**File Number:**            20-0505

**Date Introduced:**      May 26, 2020

**FISCAL IMPACT SUMMARY**

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

**RESOLUTION**

**WHEREAS**, the City has received notification from the U.S. Department of Housing and Urban Development (HUD) that it will receive \$371,608 in funding through the Coronavirus Aid, Relief, and Economic Security (CARES) Act,

**WHEREAS**, the Community Development Department maintains a Revolving Loan Fund through its Homeowner Rehabilitation Loan Program of which there is a substantial balance of loan repayments in this fund,

**WHEREAS**, the Citizens Advisory Committee for Community Development held public hearings and a working session for the reprogramming of the revolving loan fund and to prepare a proposed CARES funding recommendation,

**WHEREAS**, HUD has previously approved the City's Action Plan for CDBG funding programs and these funding sources require an amendment to that plan to add this new funding source,

**BE IT RESOLVED**, by the Common Council of the City of Wausau that the proposed CARES funding in the amount of \$371,608 and the reprogramming of \$100,000 into additional CARES funding be approved and authorize the Mayor and appropriate City staff to complete filings and execute documents with the appropriate agencies to implement said agreements and amendment to the previously HUD approved Action Plan.

Approved:

\_\_\_\_\_  
Katie Rosenberg, Mayor

## **FINANCE COMMITTEE**

Date and Time: Tuesday, May 13, 2020 @ 5:15 pm., Council Chambers

Members Present *In person:* Rasmussen, Ryan, Herbst, and Watson. *By WebEx:* Martens.

Others Present: Groat, Rosenberg, Jacobson, Goede, Van Krey, Stratz, Lindman, Wesolowski, Barteck, Bruce Bohlken

### **Discussion and possible action approving the 2020 Community Development Block Grant Program Action Plan Coronavirus Aid, Relief and Economic Security (CARES) Act and the Reprogramming Homeowner Rehabilitation Revolving Loan Fund into CARES initiatives**

Ryan questioned why the Women's Community Center and the Hmong American Center had not applied and whether they had been reached out to.

Tammy Stratz, Community Development, indicated they reached out to all the non-profits and the United Way also helped to contact them all. She commented she was surprised they only received two applications, but thought perhaps the timeframe was hard with not receiving the funds from HUD until possibly June or July.

Rasmussen stated in the summary of the allocations one of the line items was \$70,000 for administration of the plan. She questioned why any of the funding was allocated to administration when the 2020 budget for staffing in the department is already taken care of. She felt all the money should flow out into the community.

Stratz explained it costs the department money to advertise and do extra work to run the program. She noted they were also sharing it with McDevco who through advertising and reaching out will have high overhead. She felt they should pay themselves for the work they are doing. Rasmussen commented she would just like to see a smaller percentage for administrative expense. Stratz responded they are allowed to do 20% of an allocation and reiterated that they sharing it with McDevco for their overhead and extra advertising.

Ryan questioned if there was a way they could use \$100,000 of Homeowner Rehab funds as a cash advance towards CARES and then put it back when the HUD funds come in. She thought there may be people who need it for repairs to their property. Stratz stated there is currently \$120,000 in their Revolving Loan Fund of which we are requesting \$100,000 to be used towards the CARES. There is still over \$172,000 in new program funding to go to Home Owner Rehab. She did not foresee this hurting the Rehab Program at all and pointed out the CARES money has to go directly to CARES project and can't reimburse.

Motion by Watson, second by Ryan to approve reprogramming Homeowner Rehab revolving Loan Fund into CARES initiatives. Motion carried 5-0.



Planning, Community and Economic Development

TO: Mayor Katie Rosenberg  
Mayor, City of Wausau

FROM: Tammy Stratz  
Community Development Manager

RE: CARES Community Development Block Grant Administration Funds

DATE: April 23, 2020

The City of Wausau has been awarded \$371,608 in COVID-19 CARES funding to assist those who have been hit hard with the COVID-19 pandemic. As a portion of this funding Administration funding is being requested to operate and oversee funded programs. Community Development is requesting \$70,000 (which represents 18.8% of awarded amount). These funds will be shared with McDevco with the operation of the forgivable loan program offered to eligible small businesses.

Should you have any questions regarding this activity, please contact me. Thank you.



Planning, Community and Economic Development

## MEMO

TO: Common Council members

FROM: Tammy Stratz, Community Development Manager

DATE: May 15, 2020

RE: Community Development Block Grant CARES Funding and  
Reprogramming Community Development Block Grant Funds

The City of Wausau has been notified by the U.S. Department of Housing and Urban Development (HUD) that it will receive \$371,608 in new funding through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Funding is to assist those small business and/or household that are hardest hit by the COVID-19 pandemic. Applications were made available to non-profits that work with this population and the Citizens Advisory Committee held a public hearing to hear comments of the best way to allocate these funding before making their recommendations.

In addition to the new funds, the Community Development Department is requesting that \$100,000 from its Homeowner Rehabilitation Revolving Loan Fund be reprogrammed into additional funds to be utilized towards the CARES initiatives. We are not even half way through 2020 in loan repayments and already have over \$120,000 in these revolving loan funds as well as over \$170,000 in new funds. So, the reprogramming of these funds will not affect the ability to assist homeowners who are need of this program. The Citizens Advisory Committee held a public hearing regarding this reprogramming and has recommended this to occur. With the reprogramming of the funds, we will be able to assist those affected sooner since we have the funds on hand and do not have to wait for HUD to release the funds to the City.

The City's Finance Committee received copies of the applications (see Finance Committee packet), reviewed and discussed the Citizen's Advisory Committees recommendations on Thursday, May 14, 2020 and approved their recommendations – see attached updated chart reflecting those funding levels. Also attached is a narrative of the substantial amendment that will be submitted to HUD which discusses the funded projects. We are recommending the Council's approval of such allocations so the amended Action Plan can be submitted to HUD for its approval.

If you have any questions, please feel free to call me at 715-261-6682 or e-mail me at [tammy.stratz@ci.wausau.wi.us](mailto:tammy.stratz@ci.wausau.wi.us).

Thank you.

## 2020 COVID-19 CARES Program

| Activity Code    | Applicant/Agency                        | Requested  | Cit. Adv.<br>Recommended | Finance<br>Recommend | Common<br>Council<br>Approval |
|------------------|-----------------------------------------|------------|--------------------------|----------------------|-------------------------------|
| A - 570.206      | CD Administration                       | \$ 70,000  | \$ 70,000                | \$ 70,000            |                               |
| ED - 570.203 (b) | McDevco - Economic Development-new      | \$ 330,000 | \$ 261,804               | \$ 261,804           |                               |
| ED - 570.203 (b) | McDevco - Economic Development- reprog. | -          | \$ 75,000                | \$ 75,000            |                               |
| PS - 570.201 (e) | North Central Community Action -new     | \$ 58,000  | \$39,804                 | \$ 39,804            |                               |
| PS - 570.201 (e) | North Central Community Action -reprog. |            | \$25,000                 | \$ 25,000            |                               |
|                  | Total                                   | \$ 458,000 | \$ 471,608               | \$ 471,608           | \$ -                          |
|                  |                                         |            |                          | new allocation       | \$ 371,608.00                 |
|                  |                                         |            |                          | reprogrammed         | \$ 100,000.00                 |
|                  |                                         |            |                          | Total funds          | \$ 471,608.00                 |

Administration Cap 20%

amount remain \$ -

### Code Definitions:

A Administration/Planning  
 C Clearance  
 ED Economic Development  
 H Housing  
 PF Public Facility  
 PS Public Service  
 SB Slum & Blight

## **COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE**

Date and Time: Thursday, April 30, 2020 @ 4:30 pm in Council Chambers, 1<sup>st</sup> floor, City Hall, 407 Grant St.

**Citizens Advisory Committee Members Present:** Bohlken (C), Freiberg, Thao, S. Ackerman, Peckham, Jackson, Xiong, Dudley Shannon, Clark Zavadoski

**Members Excused:** Berg, Olafsson, Her

**Others Present:** Tammy Stratz, Michelle Van Krey, Katie Rosenberg, Ben Lee, Diane Sennholz, Vicki Resech

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

### **COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE**

#### **Agenda Item #1 – Call to Order**

The Community Development Citizens Advisory Committee meeting was called to order by Chairperson Bohlken at 4:32 pm.

#### **Agenda Item #2 – PUBLIC HEARING to receive comments on Addendum for Citizen's Participation Plan's Addendum.**

Bohlken opened the public hearing to receive comments on the Addendum to the Citizen's Participation Plan.

Stratz explained that because the City is receiving CDBG-CV funding from the CARES Act to be used for COVID-19 response the process we normally use for CDBG allocation can be shortened to ensure efficient distribution of funds. The Addendum to the participation plan includes allowing the public to attend meetings via WebEx or phone, applications can be submitted electronically, the working session and public hearings will be held during the same meeting, the public comment period for the projected use of funds will be changed to 5 days, the plan will not be available at the library if the library is closed and the public comment period for the consolidated plan will be changed to 5 days.

#### **Agenda Item#3 – Close of Public Hearing**

Bohlken asked for any other comments three times before closing the public hearing.

#### **Agenda Item#4 – Discussion and Approval of Citizen's Participation Plan's Addendum**

*Motion by Freiberg, second by Peckham to approve the addendum to the Citizen's Participation Plan.*

*Motion passes 9-0*

#### **Agenda Item #5 – PUBLIC HEARING to receive comments and applications on COVID-19, CARES Community Development Block Grant funding.**

Bohlken opened the public hearing to receive comments and applications on COVID-19 CARES Community Block Grant Funding (CDBG-CV). Stratz explained that three applications were received and invited the applicants to present their applications to the committee.

Diane Sennholz, executive director for North Central Community Action Program (NCCAP), shared their application first. NCCAP applied for \$58,000 to be used for with rent and mortgage payments to help low income individuals who have been threatened with eviction because of losing employment during the COVID-19 pandemic. The estimated number of clients to be served is 48 households.

Vicki Resech, executive director of MCDEVCO, shared their application second. MCDEVCO applied for \$330,000 to be used for small business (20 or less employees) assistance in the form of micro-grants and forgivable loans. 70 businesses could apply for \$1,500 grants for a total of \$105,000. The forgivable loan fund would have \$225,000 in which businesses could apply for a loan of up to \$20,000. The loan would be forgiven if one low to moderate income (per HUD requirements) fulltime employee was hired or reinstated for every \$5,000 received.

Tammy Stratz shared the Community Development's application last. Traditionally, 20% of the City's CDBG allocation can be used for admin expenses. The Community Development Department is requesting \$70,000 (18.8%) to be allocated to administration. These funds will also be shared with MCDEVCO for the operation of the grant and forgivable loan program.

Ben Lee, Director of Community Impact with United Way of Marathon County, offered comments on behalf of different agencies in Marathon County. After talking with Blake Opal-Wahoske, Executive Director of the Wausau River District, and Diane Sennholz, NCCAP, the United Way is encouraging the committee to allocate funds to small business relief and housing assistance. Lee also highlighted the need for assistance for child care facilities/businesses due to a loss of revenue from the increased vacancies during the COVID-19 pandemic.

#### **Agenda Item#6 – Close of Public Hearing**

Bohlken asked for any other comments three times before closing the public hearing.

#### **Agenda Item#7 – PUBLIC HEARING to receive comments on reprogramming Homeowner Rehabilitation Loan Program revolving loan funds into approved CDBG-19, CARES Program(s)**

Bohlken opened the public hearing to receive comments on reprogramming Homeowner Rehabilitation Loan Program revolving loan funds into approved CDBG-19, CARES Program(s).

Stratz explained that staff is looking to reprogram \$100,000 from our Homeowner Rehab revolving loan fund to be used with the CDBG-CV funding for COVID-19 response. Since the Safer At Home orders put a stop to our rehab work this loan has a large fund that isn't being used currently. With the reprogramming of these funds we will be able to get some money to the agencies who have applied quicker than if we were to wait for the CDBG-CV funds to be released to us. Staff recommends that the funds be split between NCCAP and MCDEVCO.

Peckham asked if during this process we could fund the applicants for what they asked for and then sit on the rest of the money to be used later. Stratz explained that when we submit our plan to HUD we have to account for how we plan to use every dollar so we have to allocate all of the money.

#### **Agenda Item #8 – Close of Public Hearing**

Bohlken asked for any other comments three times before closing the public hearing.

**Agenda Item#9 – Discussion and Approval of reprogramming Homeowner Rehabilitation Loan Program revolving loan funds into approved COVID-19, CARES Program(s)**

*Motion by Jackson, second by Ackerman to approve the reprogramming of Homeowner Rehabilitation Loan Program revolving loan funds into approved COVID-19, CARES Program(s).*

*Motion passes 9-0*

**Agenda Item#10 – Development of a proposed statement of objectives and use of funds in connection with the City of Wausau COVID-19 CARES funding for the Community Development Block Grant Program**

The committee agreed to fund all three applicants for the full amount they were asking for. This left \$13,608 in excess to be allocated. The remainder was split equally between MCDEVCO and NCCAP. The committee discussed how to split the \$100,000 of reprogrammed funds between the applicants. Stratz suggested giving MCDEVCO 75% and NCCAP 25% which was somewhat proportionate to their funding requests.

After discussion the following funding recommendations were made:

Administration –\$70,000

MCDEVCO - \$336,804 (\$75,000 of reprogrammed funds, \$261,804 of CDBG-CV funds)

NCCAP - \$64,804 (\$25,000 of reprogrammed funds, \$39,804 of CDBG-CV funds)

*Motion by Peckham, second by Xiong to approve the proposed use of funds.*

*Motion passes 9-0*

**Adjournment**

*Motion by Xiong, second by Dudley Shannon to adjourn the meeting. Adjourned at 5:15 pm.*



COMMUNITY DEVELOPMENT DEPARTMENT  
CITY OF WAUSAU

2020 BLOCK GRANT- CARES  
FUNDING APPLICATION

(Date Received by City)

**NOTE: Separate applications are required for each type of funding and activity for which you are applying. Combined applications and budgets will not be accepted and will be returned.**

Name of Program: COVID-19 RENT AND UTILITY RELIEF Amount Requesting: \$ 58,000

Applicant Organization Name: NORTH CENTRAL COMMUNITY ACTION PROGRAM, INC.  
Organization Address: 911 JACKSON ST City WAUSAU WI Zip 54403  
Contact Person: DIANE SENNHOLZ Title EXECUTIVE DIRECTOR  
Contact Person's Telephone Number: 715-301-1863 Fax Number: 715-845-5101  
E-Mail address: DSENNHOLZ@NCCAPIINC.COM  
Is applicant a 501(C)(3) organization? Yes X No \_\_\_\_\_  
Federal Employer Identification number: 39-1080179 DUNS #: 096826086  
Executive Director: DIANE SENNHOLZ Phone Number 715-301-1863  
Board President: DONNA ROZAR Phone Number 715-424-2581

**Check One:** Organization has received funds from Community Development Block Grant in the past X  
Organization has not received funds from Community Development Block Grant in past \_\_\_\_\_

**NOTICE:**

If a false statement or misrepresentation occurs in this proposal and if funds are awarded, all funds and the contract will be in default. The City may declare all or any part of the awarded funds to be due and repayable immediately to the City and the contract will be voided.

*All applications are due to Community Development by April 24, 2020 at 4:30 p.m.*

## PROGRAM DESIGN SPECIFICATIONS:

Describe the work to be performed, including the activities to be undertaken, the goals and objectives, method of approach and the implementation timetable. All activities MUST be a direct relation to the COVID-19 pandemic and how it will assist those affected.

North Central Community Action Program, Inc. (NCCAP) is expecting to see people who have never before required assistance with rent or a mortgage. Due to the current health crisis because of the Corona Virus, The COVID-19 Emergency Housing Assistance Program and Utility relief intends to provide rental support (and mortgage payments to financial institutions who can accept a physical check) and utility relief, to individuals and families who are threatened with eviction because of losing employment due to 'Safer at Home' or because they are employed in a position that has been designated 'non-essential'. One of our major housing programs for the last 24 years have been to assist households with Emergency Rental Assistance. We work with low-income households to assist those who have had a crisis and are unable to make their normal rent payment. We are experts at discerning true needs and gathering required data to facilitate assistance and we track this data as well. We are already hearing from those who lost employment as of March 14<sup>th</sup> and have helped three families so far.

\*\*\*RESPONSE LIMITED TO THIS SPACE ONLY\*\*\*

## ACHIEVEMENT INDICATOR:

Estimated number of clients to be served? 48 Households Or

Estimated number of units? \_\_\_\_\_ Or

Estimated number of jobs to be created? \_\_\_\_\_

## TARGET POPULATION:

Describe the households/persons to be served and the outreach/client selection process.

Target Population are individuals and families who are threatened with eviction or can't <sup>pay</sup> their current mortgage payment because of losing employment due to 'Safer at Home' or because they are employed in a position that has been designated 'non-essential'.

\*\*\*RESPONSE LIMITED TO THIS SPACE ONLY\*\*\*

## COLLABORATION:

Describe existing collaborations with residents, institutions, other organizations and agencies within the area for which you are applying as well as those necessary for performance of activities.

\_\_\_\_\_ We currently work with an existing collaboration of agencies in the community. Agencies who typically  
\_\_\_\_\_ refer clients and that we partner with to fully assist individuals include the United Way's 2-1-1, St.  
\_\_\_\_\_ Vincent de Paul, The Salvation Army, County Social Services and County Health officers, North Central  
\_\_\_\_\_ Health Care, Catholic Charities, The Women's Community, Veteran's affairs, and others.

\*\*\*RESPONSE LIMITED TO THIS SPACE ONLY\*\*\*

## EXPERIENCE:

Describe your agency's specific experience in providing the requested services, accomplishments and successes specific to the proposal, including staff expertise.

- One of our major housing programs for the last 24 years have been to assist households with Emergency
- Rental Assistance. We work with low-income households to assist those who have had a crisis and are
- unable to make their normal rent payment. We are experts at discerning true needs and gathering
- required data to facilitate assistance and we track this data as well. We have two experienced full time
- case workers who directly with clients (during COVID-19 we are working via phone, e-mail, fax) to assess
- their financial situation, barriers (current and future), and other situations that we may be able to help
- with or refer to one of our local partners for further assistance.

\*\*\*RESPONSE LIMITED TO THIS SPACE ONLY\*\*\*

**TOTAL PROGRAM BUDGET: REVENUE**  
(Inclusive of all programs operated by your agency)

Organization Name: NCCAP

Program Name: COVID-19 RENT & UTILITY RELIEF

Show the proposed budget for this proposed program.

| CATEGORY                               | 2020      |
|----------------------------------------|-----------|
| Government Grants (list sources)       |           |
| A. CITY OF WAUSAU - CARES FUNDING      | \$ 58,000 |
| B. COMMUNITY SERVICES BLOCK GRANT      | 5500      |
| C.                                     |           |
| D.                                     |           |
| Subtotal                               | \$ 63500  |
| Foundation Grants (list sources)       |           |
| A. COMMUNITY FOUNDATION - FOR COVID-19 | 10,000    |
| B.                                     |           |
| C.                                     |           |
| D.                                     |           |
| Subtotal                               | 10,000    |
| Other Revenue (list sources)           |           |
| A.                                     |           |
| B.                                     |           |
| C.                                     |           |
| D.                                     |           |
| Subtotal                               |           |
| TOTAL REVENUE                          | \$ 73,500 |

**PROGRAM BUDGET: EXPENSES**  
(Specific to program you are applying for)

Organization: NCCAP

Program Name: COVID 19 RENT AND UTILITY RELIEF

Prepare a proposed budget for the program for which you are applying. Include all committed and pending funds to operate this program.

| Category                                                                             | Requested Funds | Committed Funds<br>(list source)      | Pending Funds<br>(list source) |
|--------------------------------------------------------------------------------------|-----------------|---------------------------------------|--------------------------------|
| Personnel                                                                            | 5415            | CSBG<br>2888                          |                                |
| Fringe Benefits                                                                      | 4585            | CSBG<br>1312                          |                                |
| Occupancy/Utilities                                                                  |                 | CSBG<br>1020                          |                                |
| General Services (training, travel, printing, advertising, memberships)              |                 |                                       |                                |
| Supplies (office products, postage, computer and cleaning supplies, publications)    |                 | CSBG<br>280                           |                                |
| Contractual Services (accounting, legal, consulting, insurance)                      |                 |                                       |                                |
| Equipment (purchase/rental)                                                          |                 |                                       |                                |
| Other Costs (please describe) <u>BENEFICIARY</u><br><u>HOUSING 40,000 RENT 8,000</u> | 48,000          | <u>COMMUNITY FOUNDATION</u><br>10,000 |                                |
| <b>TOTAL COSTS</b>                                                                   | 58,000          | 15,500                                |                                |

**CORPORATE DOCUMENTATION to be included with the Application**

**Submit one copy of the following documents:** (*only* if not provide in previous years)

1. Articles of Incorporation with the corporate seal affixed to the document
2. Corporate By-Laws
3. A roster of the current Board of Directors
4. Corporate Organizational Chart
5. Federal Tax Exemption determination letter
6. State Sales Tax Exemption Status Letter with Tax Exempt number indicated
7. Accounting policies and procedures

Note: If you have submitted a previous application with City of Wausau, Community Development Department, we may have the above information on file, please confirm with staff.

**AFFIRMATION:**

We affirm that we have reviewed this application and to the best of our knowledge the information furnished is true, correct and complete.

Board Chair/President: DONNA ROZAR Term: AUGUST 2020  
Print Name

Signature 15/ Diane Sennholz

Executive Director: DIANE SENNHOLZ  
Print Name

Signature Diane Sennholz



COMMUNITY DEVELOPMENT DEPARTMENT  
CITY OF WAUSAU

2020 BLOCK GRANT- CARES  
FUNDING APPLICATION

(Date Received by City)

**NOTE: Separate applications are required for each type of funding and activity for which you are applying. Combined applications and budgets will not be accepted and will be returned.**

Name of Program: Cares Funding Application Amount Requesting: \$330,000.00

Applicant Organization Name: MCDEVCO, Inc.  
Organization Address: 1415 Merrill Ave, Ste. 140 City Wausau Zip 54401  
Contact Person: Vicki Resech Title Executive Director  
Contact Person's  
Telephone Number: 715.298.0084 Fax Number: n/a  
E-Mail address: vresch@mcdevco.org  
Is applicant a 501(C)(3) organization? Yes X No \_\_\_\_\_  
Federal Employer Identification number: 39-1306894 DUNS #: \_\_\_\_\_  
Executive Director: Vicki Resech Phone Number 715.298.0084  
Board President: Jeff Voigt Phone Number 715.574.5545

**Check One:** Organization has received funds from Community Development Block Grant in the past X  
Organization has not received funds from Community Development Block Grant in past \_\_\_\_\_

**NOTICE:**

If a false statement or misrepresentation occurs in this proposal and if funds are awarded, all funds and the contract will be in default. The City may declare all or any part of the awarded funds to be due and repayable immediately to the City and the contract will be voided.

*All applications are due to Community Development by April 24, 2020 at 4:30 p.m.*

## PROGRAM DESIGN SPECIFICATIONS:

Describe the work to be performed, including the activities to be undertaken, the goals and objectives, method of approach and the implementation timetable. All activities MUST be a direct relation to the COVID-19 pandemic and how it will assist those affected.

Funding from the Cares Block grant would be used for grants and forgivable loans for small businesses with 20 or less employees that have occurred a loss because of COVID - 19.

GRANTS – Small Businesses could apply for \$1500.00 grants. The total amount of the funds used for grants would be \$105,000.00, which is 70 small business grants.

Forgivable LOAN (only forgivable within the initial year if they meet the requirements below) – This fund would then have \$ 225,000.00 available for loans up to \$20,000.00.

Requirements – One fulltime employee hired or reinstated for every \$5,000.00 received in a loan.

Low-to-middle income requirements per HUD AND Reporting to MCDEVCO at six, twelve, and twenty-four months on meeting requirements.

No duplication of funding.

Uses to include reopening costs, inventory, cleaning, PPE supplies, payroll (no duplication of funds), etc.

## TARGET POPULATION:

Describe the households/persons to be served and the outreach/client selection process.

Cares Funding will serve the small business and industry sector of the City of Wausau hit the hardest with the COVID-19 virus. The businesses who have had to close their doors and/or have limited opportunity to maintain any form of sustainable revenue. These businesses are the ones who have not qualified for any other funding or have not received any other funding because it is all gone already. These business 20 or less employees, they are the backbone of Wausau. We are looking for the employer to be able to rehire employees (one fulltime person for every \$5,000.00 requested in funding), and the low-to-middle income bracket. Outreach to these target population/businesses to be accomplished through various marketing techniques including a dedicated website ([www.mcdevco.org](http://www.mcdevco.org) and [www.wausaudevelopment.com](http://www.wausaudevelopment.com)), promotional pieces, prospecting, referrals from the City of Wausau's economic development department, and financial institutions throughout Marathon County.

MCDEVCO also has a spreadsheet of 70 businesses that have currently contacted us that require assistance that we will contact when funding becomes available.

**COLLABORATION:**

Describe existing collaborations with residents, institutions, other organizations and agencies within the area for which you are applying as well as those necessary for performance of activities.

MCDEVCO collaborates with the City of Wausau's economic development department and community leaders, the Entrepreneurial and Education Center, Area Wausau Business Groups and local financial institutions (GAP Financing).

MCDEVCO currently has been the City of Wausau's loan administrators for their CDBG for small businesses for over 43 years.

MCDEVCO currently reports to the City of Wausau economic development department at least quarterly to report on key metrics. We would add this reporting to our schedule with the City.

**EXPERIENCE:**

Describe your agency's specific experience in providing the requested services, accomplishments and successes specific to the proposal, including staff expertise.

The City of Wausau's economic development (community development) and MCDEVCO staff has over 46 years of combined experience in economic development activities and/or lending. The City and MCDEVCO have a great working relationship. The collaboration over the years has seen many new businesses started and/or expanded within the City. Besides, having relationships with small businesses owner through GAP financing MCDEVCO offers education classes for all entrepreneurs and small businesses to gain knowledge and update their skill set. We also are the small business owner's resource for assistance in the past, now during COVID-19, and into the future.

**TOTAL PROGRAM BUDGET: REVENUE**  
(Inclusive of all programs operated by your agency)

**Organization Name:** MCDEVCO, Inc.

**Program Name:** Cares Funding Application

Show the proposed budget for this proposed program.

| CATEGORY                         | 2020                |
|----------------------------------|---------------------|
| Government Grants (list sources) |                     |
| A. CDBG Cares Funds              | \$330,000.00        |
| B.                               |                     |
| C.                               |                     |
| D.                               |                     |
| Subtotal                         | \$330,000.00        |
| Foundation Grants (list sources) |                     |
| A.                               |                     |
| B.                               |                     |
| C.                               |                     |
| D.                               |                     |
| Subtotal                         |                     |
| Other Revenue (list sources)     |                     |
| A.                               |                     |
| B.                               |                     |
| C.                               |                     |
| D.                               |                     |
| Subtotal                         |                     |
| <b>TOTAL REVENUE</b>             | <b>\$330,000.00</b> |

**PROGRAM BUDGET: EXPENSES**  
(Specific to program you are applying for)

**Organization:** MCDEVCO, Inc.

**Program Name:** Cares Funding Application

Prepare a proposed budget for the program for which you are applying. Include all committed and pending funds to operate this program.

| <b>Category</b>                                                                      | <b>Requested Funds</b> | <b>Committed Funds</b><br>(list source) | <b>Pending Funds</b><br>(list source) |
|--------------------------------------------------------------------------------------|------------------------|-----------------------------------------|---------------------------------------|
| Personnel                                                                            |                        |                                         |                                       |
| Fringe Benefits                                                                      |                        |                                         |                                       |
| Occupancy/Utilities                                                                  |                        |                                         |                                       |
| General Services (training, travel, printing, advertising, memberships)              |                        |                                         |                                       |
| Supplies (office products, postage, computer and cleaning supplies, publications)    |                        |                                         |                                       |
| Contractual Services (accounting, legal, consulting, insurance)                      |                        |                                         |                                       |
| Equipment (purchase/rental)                                                          |                        |                                         |                                       |
| Other Costs (please describe)                                                        | 330,000.00             |                                         |                                       |
| Loan and Grant program for Small Business in the City of Wausau effected by COVID-19 |                        |                                         |                                       |
| <b>TOTAL COSTS</b>                                                                   | 330,000.00             |                                         |                                       |

**CORPORATE DOCUMENTATION to be included with the Application**

**Submit one copy of the following documents:** (*only* if not provide in previous years)

1. Articles of Incorporation with the corporate seal affixed to the document
2. Corporate By-Laws
3. A roster of the current Board of Directors
4. Corporate Organizational Chart
5. Federal Tax Exemption determination letter
6. State Sales Tax Exemption Status Letter with Tax Exempt number indicated
7. Accounting policies and procedures

Note: If you have submitted a previous application with City of Wausau, Community Development Department, we may have the above information on file, please confirm with staff.

**AFFIRMATION:**

**We affirm that we have reviewed this application and to the best of our knowledge, the information furnished is true, correct and complete.**

Board Chair/President: JEFFREY S. VOIGT Term: SEPT 2018 - SEPT 2020  
Print Name

Signature: [Signature]

Executive Director: Vicki L. Resech  
Print Name

Signature: Vicki L. Resech

**A SUBSTANTIAL AMENDMENT TO THE CITY OF WAUSAU'S  
FY 2019 COMMUNITY DEVELOPMENT BLOCK GRANT  
ANNUAL ACTION PLAN/FIVE-YEAR CONSOLIDATED PLAN  
Coronavirus Aid, Relief, and Economic Security (CARES) Funding**

**A. General Information**

Jurisdiction: City of Wausau, Wisconsin

CDBG Contact Person: Tammy Stratz, Community Development Manager  
Department of Planning, Economic and Community Development  
407 Grant Street  
Wausau, WI 54403  
Telephone: (715) 261-6682  
Fax: (715) 261-4192  
Email: [tammy.stratz@ci.wausau.wi.us](mailto:tammy.stratz@ci.wausau.wi.us)

Jurisdiction Web Address: [www.ci.wausau.wi.us](http://www.ci.wausau.wi.us)

The City of Wausau proposes to amend the above Action Plan and Consolidated Plan for the purpose of allocating new Coronavirus Aid, Relief, and Economic Security (CARES) Act funding in the amount of \$371,608 and reprogramming Homeowner Rehabilitation Revolving Loan funds in the amount of \$100,000 into additional CARES funding activities for the total amount of \$471,608. The City of Wausau proposes to allocate the funds as follows:

**B. CDBG/CARES Information by Activity**

**Activities:**

- (1) Activity Name: Administration

Activity Narrative: Funding to assist with the operation of CARE funding activities such as salaries, office expenses, advertisement, etc. Funding in the amount of \$70,000.

- (2) Activity Name: Small Business Forgivable Loan Program

Activity Narrative: Program to assist in the form of forgivable loans/grants to eligible small businesses who were forced to close or reduce services due to the COVID-19 pandemic. Eligible expenses include reopening costs, inventory, cleaning, personal protection equipment, payroll, etc. Businesses must report the re-creation of jobs made available to income qualifying individuals. Program to be operated through MCDEVCO. Total funding in the amount of \$336,804.

(3) Activity Name: Rent/Mortgage and Utility Relief Program

Activity Narrative: Program to assist with households that lost income due to the COVID-19 pandemic and “Safer at Home”. Funding to assist for up to three months of rent, mortgage and/or utility payments per income qualified household. Program to be operated through North Central Community Action. Total funding in the amount of \$64,804.

(4) Responsible Organization: Tammy Stratz, Community Development Manager  
Department of Planning, Community and Economic  
Development  
407 Grant Street  
Wausau, WI 54403  
Telephone: (715) 261-6682  
Fax: (715) 261-4192  
Email: [tammy.stratz@ci.wausau.wi.us](mailto:tammy.stratz@ci.wausau.wi.us)

**C. Public Comment**

A notice was published in the Wausau Daily Herald, the City’s official newspaper on April 9, 2020 and again on April 20, 2020 to add additional WebEx options regarding the public hearing held through the Citizen’s Advisory Committee to reprogram revolving loan funds and allocate CARES funding. Waivers for streamline processing was submitted to HUD on April 20, 2020. Another notice was published on May 15, 2020 about the Substantial Amendment and notification to start the 5-day public comment period per the City’s citizen participation plan addendum. On May 15, 2020, the Substantial Amendment was posted for public viewing on the City’s official website.

The public comment will be open from May 15, 2020 through May 25, 2020. The proposal was also vetted through the City’s Finance Committee and Common Council. Approximately on May 28, 2020, the Substantial Amendment will be submitted to HUD along with a copy of the resolution from the City of Wausau’s Common Council approving such reprogramming of funds and CARES funding allocations.

The following is a summary of public comments received regarding this Substantial Amendment and the City of Wausau’s response to each:

*This portion to be completed after the public comment period is over but before the plan is submitted to HUD.*

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

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

Creating temporary ordinance Chapter 5.90 Relaxing Certain Code Requirements during COVID-19 Pandemic and Recovery for a period expiring on October 31, 2020, 11:59 pm to provide for COVID-19 temporary outdoor restaurant seating areas, authorize City staff review and approval of temporary outdoor seating areas and temporary expansion of licensed premises for restaurants; temporarily amending Section 9.04.025 Consumption or possession of intoxicants on streets; temporarily amending Special Events Policies and Procedures.

Committee Action:    Approved 5-0

**Ordinance Number:**

Fiscal Impact:        None

**File Number:**        20-0509

**Date Introduced:**        May 26, 2020

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

Add (        )

Delete (        )

Section 1.        That the title to Chapter 5.90 is hereby created to read as follows:

Chapter 5.90 RELAXING CERTAIN CODE REQUIREMENTS DURING COVID-19  
PANDEMIC AND RECOVERY

Section 2.        That Section 5.90.010 Purpose and intent is hereby created to read as follows:

5.90.010 Purpose and intent. The Common Council recognizes the need to continue to prevent exposure to and spread of the COVID-19 coronavirus by maximizing social distancing during the COVID-19 pandemic and recovery. It further recognizes that restaurants within the City may have particular difficulty providing recommended social distancing while still being able to operate profitably especially given the large amounts of space typically reserved within restaurant establishments for food preparation areas, the need to maintain diner waiting areas, and to permit the operation of serving stations. The Common Council wishes to provide temporary relief to restaurants by relaxing certain local code requirements during the COVID-19 pandemic and recovery period to allow those businesses to utilize public sidewalks, parking areas, and open spaces during this limited time period to maximize their service area. Therefore, notwithstanding any provision contained within the City of Wausau Municipal Code, during the period of emergency and recovery in response to COVID-19 and expiring on October 31, 2020, 11:59 pm, the Common Council implements the temporary rules contained in this chapter. Nothing in this temporary ordinance purports to alter state law respecting alcohol beverages set forth in ch. 125, Wisconsin Statutes. Outdoor seating area desired for permanent or long term use must be applied for pursuant to the existing and established municipal code provisions.

Section 3.        That Section 5.90.020 Temporary sidewalk café permit is hereby created to read as follows:

5.90.020 Temporary sidewalk café permit. Any restaurant as defined in section 5.63.020(c) of this Code located within the City seeking to utilize the public sidewalk for additional seating for its establishment may apply for a temporary sidewalk café permit following the procedure set forth in subsections 5.63.040(a) and (b) Application for permit, of this Code and supplying the documents required therein. The sidewalk café standards of section 5.63.060 shall apply to all such temporary sidewalk cafes; however, where a restaurant is to participate in an approved special event under the City's Special Events Policy & Procedure as set forth in section 5.90.040(c), the restaurant may utilize the entire sidewalk in front of its establishment for temporary seating and service for the date and time period of the event, provided the special event provides for safe, alternate pedestrian access in the main thoroughfare of the adjacent street and the street has been authorized and provides for closure from vehicle traffic. Upon conclusion of the special event, or if a repeating event, at the conclusion of each individual event in the series, the restaurant shall resume providing pedestrian access as provided in section 5.63.060(c). Restaurants that have outdoor space located on their premises which is adjacent to the licensed full service restaurant such as a parking lot or other open area may utilize that space without obtaining a temporary sidewalk café permit.

Section 4. That Section 5.90.030 Approval and issuance of sidewalk café permit is hereby created to read as follows:

5.90.030 Approval and issuance of sidewalk café permit. (a) Delegation to city clerk. The city clerk is hereby authorized to approve or approve conditionally applications for temporary sidewalk café permits and issue such permits to the applicant. The city clerk may consult, as appropriate, with the fire chief, police chief, director of public works, and chief inspector and zoning administrator in determining whether to approve, conditionally approve, or recommend for denial a sidewalk café permit. Any application the city clerk deems should be denied shall be submitted to the public health & safety committee with the city clerk's recommendation to disapprove the same who shall consider the application and make a recommendation to the Common Council. Any person aggrieved by the decision of the Common Council may seek such other legal relief as may be available.

(b) Conditions. Upon consultation and with the recommendation of the fire chief, police chief, director of public works, or chief inspector and zoning administrator as appropriate, the city clerk may place conditions upon the temporary café permit approved under this ordinance that bear a reasonable relationship to requirements existing under state statutes or elsewhere in this Code and may include without limitation, conditions to reasonably control noise, the accumulation of trash or blowing or scattering of trash from the site, lighting and the disbursement and consumption of alcohol beverages.

(c) Appeals. Appeals from the determination of conditions applicable to a permit may be directed to the public health & safety committee and must be in writing and specifically set forth the alleged error in imposition of a condition upon the permit.

(d) Revocation or suspension. A temporary sidewalk café permit may be suspended or revoked as set forth in section 5.63.100 of this Code.

Section 5. That Section 5.90.040 Temporary amendment of licensed premises is hereby created to read as follows:

5.90.040 Temporary amendment of licensed premises. (a) Application. Any restaurant as defined in section 5.63.020(c) of this Code holding an alcohol beverage license may submit an application to temporarily expand the area identified as the licensee's "licensed premises" to include an area under an approved temporary sidewalk café permit, or an outdoor space located on their premises which is adjacent to

the licensed full service restaurant such as a parking lot or other open area. The application for temporary amendment of licensed premises may be submitted at the same time as the application for the temporary sidewalk café permit.

(b) Expiration of temporarily expanded area. The temporarily expanded licensed premise area shall be effective only for a time period expiring October 31, 2020 at 11:59 pm or while the licensee holds a valid temporary sidewalk café permit under this chapter, whichever occurs first. Upon termination, relinquishment, revocation or suspension, or other expiration of the temporary sidewalk café permit or at 11:59 pm on October 31, 2020, whichever occurs first, the licensed premise area shall automatically return to the area identified and approved as part of the licensee's annual license application without further action required upon the part of the licensee or Common Council. The application for a temporary amendment of licensed premises shall include an acknowledgement and consent of the applicant to the automatic reversion of the temporary expansion as set forth herein in the form supplied by the city clerk. Further, the licensee's application for and acceptance of the temporarily expanded licensed premises area shall further demonstrate the licensee's consent to the automatic reversion of the licensed premises as provided herein.

(c) Additional temporary licensed premises amendment for special event participation. Any restaurant as defined in section 5.63.020(c) of this Code holding an alcohol beverage license and either a sidewalk café permit under section 5.64.035 or a temporary sidewalk café permit under this chapter, that is part of an approved special event under the City's Special Events Policy & Procedure may apply for an additional temporary amendment of licensed premises as provided and limited herein to include an area located within the parking stalls in the public street or roadway adjacent to its licensed premises and sidewalk café.

(1) Limitation on event. To be eligible for a temporary amendment of licensed premises under this subsection, the approved special event must be authorized and provide for closure of the street which encompasses the parking stalls to vehicle traffic; shall provide satisfactory access for emergency vehicles; be approved for an exemption from the prohibitions against consumption or possession of intoxicants on street under section 9.04.025(c); and, while the event may be a repeating event occurring on a weekly basis the series of which shall conclude no later than October 31, 2020, each individual event in the series must be of a duration not to exceed a 6 hour time period one day per week, excluding set up and take down.

(2) Submission of plan of operation. An applicant shall submit, along with the application for temporary amendment of licensed premises for special event participation, a plan of operation depicting placement of tables, boundaries and barriers of the outdoor seating during the special event, and other information deemed reasonably necessary by the city clerk to establish safety of the public and compliance with other requirements of this Code, and the specific date(s) and time period(s) for which the applicant is requesting the temporary amendment of licensed premises for purposes of participating in the approved special event.

(3) Expiration of additional temporary amendment. A temporary amendment of licensed premises to participate in an approved special event shall only be valid for the date and time of the special event. At the conclusion of the special event, or if a repeating event, at the conclusion of each individual event in the series, the licensed premise area shall automatically return to the area identified and approved as part of the licensee's annual license application, or if holding a temporary amendment approved under subsections (a) and (b) of this section to the temporary premises so authorized. The application for a temporary amendment of licensed premises for special event participation shall include an acknowledgement and consent of the applicant to the automatic

reversion of the temporary expansion as set forth herein in the form supplied by the city clerk. Further, the licensee's application for and acceptance of the temporarily expanded licensed premises for special event participation shall further demonstrate the licensee's consent to the automatic reversion of the licensed premises as provided herein.

Section 6. That Section 5.90.050 Approval of temporary amendment of licensed premises is hereby created to read as follows:

5.90.050 Approval of temporary amendment of licensed premises. The city clerk is hereby authorized to approve or approve conditionally applications for temporary amendment of licensed premises under subsections 5.90.040(a) and (b) and temporary amendments of licensed premises for special event participation under subsection 5.90.040(c). Any application the city clerk deems should be denied shall be submitted to the public health & safety committee with the city clerk's recommendation to disapprove the same who shall consider the application and make a recommendation to the Common Council. Any person aggrieved by the decision of the Common Council may seek such other legal relief as may be available.

Section 7. That subsection (c) of 9.04.026 Consumption or possession of intoxicants on streets is hereby amended to temporarily suspend the requirement that written requests for exemptions from the provisions of section 9.04.026(a) and (b) must be submitted 60 days in advance. Such written requests may be submitted at any time.

Section 8. That the provisions of the City of Wausau Special Events Policy and Procedures setting deadlines for submission of applications for special event approval are temporarily suspended. Applications may be submitted at any time.

Section 9. All provisions of City ordinances not specifically altered by this temporary ordinance shall remain in effect.

Section 10. This ordinance shall be in full force and effect on the day after its publication.

Section 11. This ordinance shall automatically repeal on October 31, 2020 at 11:59 pm; no further action shall be required.

Adopted:  
Approved:  
Published:  
Attest:

Approved:

---

Katie Rosenberg, Mayor

Attest:

---

Leslie Kremer, Clerk

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Office of the City Attorney

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



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Anne L. Jacobson  
City Attorney

Tara G. Alfonso  
Assistant City Attorney

Nathan Miller  
Assistant City Attorney

SUPPLEMENTAL COMMENTS REGARDING POSSIBLE  
TEMPORARY EXPANSION OF OUTDOOR FOOD AND ALCOHOL  
SERVICE DURING COVID-19 PANDEMIC AND RECOVERY PERIOD

- The Public Health & Safety Committee considered this issue at its meeting on Monday, May 18, 2020, and based upon its discussion, and comments from certain local restaurant owners, directed this office by motion to prepare temporary ordinance amendments to enable restaurant establishments in the City to quickly apply for temporary sidewalk café permits and for those restaurants holding liquor licenses, to quickly apply for temporary expanded licensed premises to serve alcohol along with its food service in the expanded outdoor areas.
- The significant highlights of the ordinance proposed for consideration are:
  - All provisions expire automatically on October 31, 2020, at 11:59 pm without further action by the Common Council. The Common Council may consider extending or adding additional provisions as that time approaches.
  - The ordinance makes it clear that any temporary expansion of licensed premises, permitting the service of alcohol beverages is in fact, *temporary*. At the end of the designated time period, all licensed premises revert back to those identified and approved as part of the original license application authorizing the service of alcohol beverages.
  - Additional provisions allow a restaurant participating as part of a special event to apply for a supplemental and temporary premises amendment to enable it to set up tables in parking spaces adjacent to its establishment in a street which is approved for closure as part of the event and serve alcohol beverages for the limited time period of that event. In an effort to balance the needs of both restaurant and non-restaurant businesses, the proposed ordinance requires the special event to be limited to a 6 hour period, and only once a week, in order for the restaurant to apply for the premises amendment to serve alcohol in the parking spaces.
  - Significant authority is delegated to the city clerk to review and approve applications in order to avoid delay to local restaurant establishments seeking to reopen for business. Any applications recommended for denial, however, would be submitted to the Public Health & Safety Committee and ultimately on to the Common Council for disposition.
- A number of other communities throughout the State of Wisconsin are looking to implement similar measures. The City of Oshkosh passed similar temporary rules on Monday, May 18, 2020. And while not an exclusive list, it also appears that the cities of Fitchburg, Neenah, West Allis, and Wauwatosa are also considering, or close to passing, similar schemes.

- This office will quickly work with the city clerk's office to prepare the application forms and the referenced acknowledgment and consent of applicant forms to revert to original licensed premises after the sunset of the temporary period.
- This proposed ordinance applies to restaurants only. The Public Health & Safety is anticipating considering temporary rules for bars and taverns at an upcoming meeting.
- A remaining matter to be considered and addressed by the Common Council, which can be determined through an amendment on the floor is whether fees should be waived or prorated for the permits/processing of the applications. Currently fees are:
  - Initial, permanent annual sidewalk café permit without alcohol service: \$45.
  - Initial, permanent annual sidewalk café permit with alcohol service: \$80.
  - Renewal, permanent annual sidewalk café permit without alcohol service: \$20.
  - Renewal, permanent annual sidewalk café permit with alcohol service: \$40.
  - Permanent amendment of licensed premises: \$150
  - Special Event Permit for Class II: \$60  
 Repeating event up to 15 occurrences: \$120.

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Office of the City Attorney

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



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Anne L. Jacobson  
City Attorney

Tara G. Alfonso  
Assistant City Attorney

COMMENTS REGARDING POSSIBLE TEMPORARY  
EXPANSION OF OUTDOOR FOOD AND ALCOHOL SERVICE Nathan Miller  
Assistant City Attorney

- Mark Craig, General Manager of Compass Properties has asked the City to consider amending ordinances and taking certain other actions to temporarily assist restaurants in the 300 and 400 Blocks of North 3<sup>rd</sup> Street to increase outdoor dining and alcohol service opportunities upon the expiration or other termination of restrictions imposed as a result of the State of Wisconsin's Emergency Order relating to the coronavirus/COVID-19.
- Consideration of this proposal also creates the opportunity to assess what steps might be able to be taken on a temporary basis with respect to outdoor dining service for the benefit of all restaurants City-wide to assist them during the period of "re-opening."
- A copy of an email from Mark Craig dated May 11, 2020, outlining the steps and action being sought from the City is attached.
- Modifications to parking restrictions being requested on these blocks would appropriately be considered initially by CISM. However, there is no CISM meeting being held this month. The Common Council could consider these parking changes at its meeting upon a suspension of the rules, or CISM could be requested to call a special meeting.

While the Mayor does have emergency powers under the City of Wausau Proclamation of State of Emergency to temporarily suspend or modify applicable ordinances or resolutions to allow immediate response to meet the needs of the extraordinary exiting conditions for as long as the public health emergency remains in effect in the state, it may well be that Governor Evers could lift, or the Wisconsin Supreme Court may strike down, the state's emergency order, causing the expiration of the City's proclamation and the Mayor's temporary authority.

- Significant to the proposal for expanded outdoor food and alcohol service are state laws governing the sale of alcohol beverages:
  - Class "B" beer licensees may sell beer to consumers for on-premises or off-premises consumption.
  - "Class B" licensees may sell intoxicating liquor to consumers by the glass for on-premises consumption. City ordinance W.M.C. §5.64.065 (as permitted by state law) further permits the sale of intoxicating liquor *in original, unopened containers* for consumption away from the premises in excess of 4 liters and wine or beer in any quantity.
  - "Carry-ins" are prohibited at a licensed premises.
  - Alcohol *may only be sold on the licensed and particularly described premises under a licensee's control* for which the license has been issued.
  - A licensed "bartender" must be in the same room or area as an unlicensed server, near enough to see and talk with the unlicensed server in order to be able to immediately supervise that person.
  - A license holder may apply to change the premises upon submission of a written request to amend the premises. It is within the discretion of the governing body

to approve or disapprove the change. However, a municipality may not unilaterally reduce the description of a premises and must either follow state procedures relating to revoke, suspend or renew, or negotiate the consent of the licensee to reduce the premises. *Wisconsin Dolls, LLC v. Town of Dell Prairie*, 2012 WI 76. We are currently researching whether this consent can come prior to, and be conditioned upon amendment of the premises.

- A number of City ordinances are implicated as a result of the proposal. Changes to these ordinances would also apply City-wide to all restaurants. The following is a sample of those types of provisions (which would require amendment as applicable in order to recommend/approve aspects of the proposal).
  - Provisions in W.M.C. ch. 5.63 relating to sidewalk cafes in the central business district. These provisions include restrictions confining outdoor cafes to the public right of way that immediately adjoins the licensed premises; need to maintain clear passage for pedestrians and customers for ingress and egress and clearance of fire exits; requirements for removal of tables and chairs when café is not in operation; restrictions from the café encroaching on sidewalk adjacent to other property.
  - Provisions of W.M.C. §5.64.035 restricting alcohol beverages generally on public sidewalk outside of approved sidewalk café areas.
  - W.M.C. §5.64.036 prohibiting drive-up alcohol sales which has been temporarily suspended by the City during the state of emergency pursuant to Governor Ever's Emergency Order #8 and emergency guidance issued thereunder by the Department of Revenue permitting sales of alcohol beverages on a "carry out" basis, as long as fact-to-face sales are made.
  - Provisions of W.M.C. §9.04.025 prohibiting the consumption or possession of intoxicating liquor or fermented malt beverage while on any public street, sidewalk or other public right of way, or in or upon The 400 Block. Alcohol consumption is permitted on the 400 Block and adjoining sidewalks only between 4:00 p.m. and 11:00 p.m. and during Special Events upon request of the event organizer and as approved under the Special Events permit (and for a period of two hours before the event and one hour after, or as otherwise approved by the PH&S Committee). Exemptions for a special event must be requested 60 days in advance by both the PH&S Committee and Common Council). (Similar rules regarding the 400 Block are set forth in W.M.C. §9.20.020 governing regulation of persons in public parks).

## **PUBLIC HEALTH & SAFETY COMMITTEE**

Date and Time: Monday, May 18, 2020, at 5:15 pm, (Council Chambers)

Members Present: Herbst, Rasmussen, Peckham, Wadinski, and McElhaney

Others Present: Alfonso, Kremer, Goede, Rosenberg, Barteck, Bliven, Hebert, Polley, Fitzgerald, Neal, Tyler Vogt, Mark Craig, Kelly Ballard & Leslie Patterson

### **Discussion and possible action on expanding outdoor food and alcohol service and seating options for a temporary and expressly limited time period as a result of the COVID-19 pandemic upon relaxation or cessation of Governor Ever's Safer at Home Order, including:**

Rasmussen commented they are looking what can be done city wide to help restaurants and establishments that need additional outdoor seating, however, it is important to understand what we can and cannot do with regard municipal ordinance and state liquor laws. Temporary adjustments can be made to municipal ordinance and there are a few options to consider.

#### **(a) Possible amendments to ordinances related to sidewalk café permits, standards, and requirements**

Mark Craig, Compass Properties, stated there are going to be some real restrictions on restaurants as they reopen in terms of capacity and seating while practicing social distancing, so they want to do what they can to extend the boundaries for seats outside the doors of the physical premises. He suggested looking at café seating and how to take the sidewalks and utilize more tables and chairs directly in front of the building and possibly in front of the neighboring sites if they are non-restaurant and are agreeable. He stated on the 300 block of 3<sup>rd</sup> Street, after converting from the pedestrian mall back to street, there were left a lot of four foot bollards that restrict the ability to put tables and chairs between the planters where they could and should be. He suggested removing the bollards so more space could be used on both sides of 3<sup>rd</sup> Street. He noted the 300 block is unique in that it has four restaurants in that one block area with limited parking (Ciao, Jalapeno's, Lemongrass and Polito's.) The 400 block of 3<sup>rd</sup> Street has Malarkey's (Townie's Grill) and The Mint, who are questioning if they can utilize the patio area across the street that is part of The 400 Block. Craig felt the Legislature should make some adjustments on liquor laws more broadly for the state to help businesses survive.

Craig proposed that since Concerts on the Square is not happening this year, to have "Dining in the Street" on Wednesday evenings. He asked if this was something that could be done on the street weekly in the 300 and 400 blocks of 3<sup>rd</sup> Street.

Craig stated curbside pickup and delivery is going to continue to be important going forward. In the 300 block there are two 15 minute stalls on the north and south ends. He questioned if they could have three pick up stalls in front of Ciao and eliminate the one on the north end. Parklets was another idea some cities are looking at.

Jamie Polley, Parks Director, indicated she took a tour with Mark Craig downtown and took a look at the bollards and learned that DPW can remove them fairly easily.

Rasmussen stated the businesses with Sidewalk Café Licenses could amend their application with a diagram of the larger area and placement of table and chairs.

Motion by Peckham, second by Herbst to allow Sidewalk Café License holders to request expansion of their areas by submitting an amended application to the Clerk's Office; to delegate authority by the Clerk's Office to issue them; and for DPW to remove the bollards. Motion carried 5-0.

Motion by McElhaney, second by Herbst to direct the Assistant City Attorney to make the appropriate modifications to the Sidewalk Café ordinance to temporarily delegate authority to the Clerk's Office to issue the permits that meet the criteria. The amended permits will sunset on October 31, 2020. Motion carried 5-0.

#### **(b) Consumption or possession of intoxicants on streets and in The 400 Block**

**and**

#### **(c) Possible use of all or a portion of the 400 Block and/or 400 Block patio for outdoor food and alcohol service by restaurants**

Rasmussen stated a few establishments that are adjacent to The 400 Block patio which would like use it as an expanded seating area. She questioned if they could make a temporary amendment to the premises description to include that area, but need to be fair because it is a public space and other establishments may wish to use it.

Jamie Polley stated there is still one Concert of the Square scheduled for June 28<sup>th</sup> and another in August. She believed there were four large reservations of The 400 Block still on the books for the summer. The Parks Department had canceled everything through the month of June, but after that it is up to the organization whether or not to hold their event. Health recommendations will be given to the event organizers. She indicated she can put more tables and chairs on the patio as long as they are spaced 6 feet or more apart.

Rasmussen commented there are still those who may not be comfortable sitting inside a restaurant yet. The 400 Block is a public space and she did not think it was right to assign that space to a couple of private businesses. She felt people should be able to purchase a takeout meal from the restaurant of their choice and carry it to The 400 Block to sit in that public space to eat.

Tyler Vogt, owner of Malarkey's/Townie's, stated they were just trying to figure out a way to expand tables outside the restaurants. He liked the idea of adding more picnic tables to increase the social space that anyone could use for any reason. He was in favor of using The 400 Block and keeping the tables far enough apart where people can enjoy part of the summer. He stated food trucks may want to use 4<sup>th</sup> Street and take advantage of the park as well. Vogt noted some tavern owners have indicated they may want to have expanded outdoor service, too. Rasmussen stated that will be a separate discussion for taverns.

Craig questioned if they could add more picnic tables to The 400 Block and spread them beyond the patio onto the grassy area. Polley stated this was something that could work.

Rasmussen stated "Dining in the Streets" would need to be applied for through a Special Event application for a serial type event, similar to Concerts on the Square. She suggested the River District could submit the event application for every Wednesday through the summer until October and request closure of 3<sup>rd</sup> Street.

Mayor Rosenberg stated she did not believe liquor laws would permit service of alcohol from these businesses into the street. Alfonso stated they could temporarily amend the premises to that specific time and date. They would need to designate what area in the street would be assigned to that restaurant and sign a consent in advance that states it is for this specific time and when it is over their premises are going to revert back to the original premise description. Alfonso pointed out there will need to be some sort of access for emergency vehicles.

Deputy Fire Chief Barteck stated their main concern is access. When you talk about occupation of a street for a venue party, liking eating and drinking in the street, we need to define that and have a clear fire lane. The tables and chairs should be located in the parking areas leaving the main thoroughfare clear to only pedestrian traffic. As we come in to respond to an emergency there needs to be a simple barricade that can be removed by a single person.

Motion by Peckham, second by Herbst to direct the Assistant City Attorney to draft temporary provisions in response to COVID-19 that shortens the Special Event application submission window under the 60 day deadline and allow for a Special Event permit for Wednesday night outdoor dining during specific hours to include the closure of the 300 and 400 blocks of 3<sup>rd</sup> Street; to include a waiver of the ordinance prohibiting open intoxicants on streets during those hours; and temporary premises amendments be allowed for the Class B license holders adjacent to the event to serve outdoors. If there is interest from the other businesses on the 500 and 600 blocks the territory can be expanded. Motion carried 5-0.

Consensus of the committee was to consider outdoor seating for taverns on a case-by-case basis. Chief Bliven agreed and stated there are a lot of factors with each of the establishments as to whether outside seating may or may not be a good idea. Noise is one of the more significant complaints the department receives about taverns. Alfonso recommended having a set standard of criteria for making these decisions. This will be discussed at the next meeting.



## SPECIAL EVENTS APPLICATION

(Submit this application to the City of Wausau Clerk's Office)

Class of Event: 11

Class Fee \$ 120

Multiple Day 1x per week

Serial 10 total event days

Block Reservation Fee:

\$ 0

Estimated City Services Fee:

\$ \_\_\_\_\_

Event Name: Dining on the Street

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Event Dates: Wednesdays June 24<sup>th</sup> – August 26th

Time of Event: 5-9pm

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Set Up Dates: **Same Day** Street closure at 3pm – Wednesdays June 24<sup>th</sup> – August 26th

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Removal Dates: **Same Day** Street Open by 10pm – Wednesdays June 24<sup>th</sup> – August 26th

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Event Location: 300 & 400 Block of 3<sup>rd</sup> Street with potential of adding the 500 & 600 Block

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Organizer: Wausau River District & Compass Properties

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Contact Person: Blake Opal-Wahoske

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Address: 316 Scott Street, Wausau WI 54403

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Work Phone #: 715-297-1929

Home/Cell Phone #: 715-218-9457

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Email Address: [Blake@WausauRiverDistrict.org](mailto:Blake@WausauRiverDistrict.org)

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**Describe Event: (include purpose, features, schedule, estimated attendance, number of floats if parade)**

Dining on the Street is an initiative of the Wausau River District and Compass Properties. The purpose of the event is to give restaurants increased dining capacity due to the restrictions in place as a result of COVID-19, create a safe environment for community members to visit the downtown, and generate an economic impact through restaurant sales and cross-promotions with retailers.

Street closure would start at 3pm each Wednesday, allowing time to clear all vehicles. Temporary signage will be placed by parking on third street, informing visitors of the event and time to vacate street. AC & Sons will have one hour to set up tables and chairs before the event starts at 5pm and end time of 9pm. After the event, WRD staff will open the street up at 10pm after tables, chairs, and debris are removed from the street.

Estimated Attendance 500-750.

**Event Location or Route, if parade (include a map and timed itinerary of events including staging & demobilization times and locations)**

The event will close down the 300 and 400 blocks of 3rd street but keep both Jefferson and Scott Streets open to traffic. Pending the success of the event and other downtown restaurant participation, the organizers may ask to extend the closure to the 500 and 600 Block of 3rd Street.

**Describe any event issues or challenges (such as parking) and your plan for addressing those issues.**

Parking:

Attendees will be directed to utilize one of the many parking ramps and lots.

Social Distancing and Sanitization: All participating restaurants will follow the recommended WEDC guidelines of spacing tables 6 feet or more apart with a cap of 6 people per table. Restaurants will also be required to follow proper sanitization requirements. (please note these practices may change due to updated WEDC guidelines). In addition, attendees will be encouraged to secure a reservation if a participating restaurant is allowing them. The Wausau River District will also create temporary queuing lines for each restaurant, allowing for safe waiting areas.

Cross Traffic:

WRD Volunteers will monitor the intersection of Jefferson and 3rd street. If the event location expands down 3rd Street, WRD Staff will hire security to monitor each intersection.

**Describe how you intend to use the proceeds (if any) from this event?**

There is no entrance fee for this event. Sponsorship and other funds will be used to market and produce the event.

**Describe how the event will be promoted or advertised?**

The event will be promoted through social media, cross-promotion among businesses, and possibly print and TV pending fundraising amounts.

## EVENTS QUESTIONNAIRE

| Please answer all questions: |                                                                                                                                                                                                                                                                                                                                                                                                                             | YES | NO | Describe specifically and completely (how many, what, where, why)                                                                      | Are you expecting the City to provide this service? Please indicate who or what you expect. |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| 1.                           | Is the event open to the general public? List your estimated attendance?                                                                                                                                                                                                                                                                                                                                                    | X   |    | 500-1,000                                                                                                                              |                                                                                             |
| 2.                           | Have you reserved or rented the event's location? Call the Parks Dept. for The 400 Block 715-261-1550 for park facilities.                                                                                                                                                                                                                                                                                                  |     | X  | No, we will be utilizing 3 <sup>rd</sup> Street                                                                                        |                                                                                             |
| 3.                           | Will an admission or entry fee be charged? Will there be security for large cash collections?                                                                                                                                                                                                                                                                                                                               |     | X  |                                                                                                                                        |                                                                                             |
| 4.                           | Will there be wine or beer served?                                                                                                                                                                                                                                                                                                                                                                                          | X   |    |                                                                                                                                        |                                                                                             |
|                              | If there will be wine/beer served, have you applied for and obtained a temporary liquor license from the City Clerk (261-6620) and arranged for licensed bartenders at the event?                                                                                                                                                                                                                                           | X   |    | The WRD will be making arrangements with the city Clerks office for a open intoxicant waiver and permit upon approval of event permit. |                                                                                             |
| 6.                           | If there will be wine/beer served, have you obtained and erected fencing to comply with the City's ordinance?                                                                                                                                                                                                                                                                                                               | X   |    | We plan to use clear signage, barricades on the street and clear messaging in event marketing                                          |                                                                                             |
| 7.                           | If you are charging an admission or if you are serving alcohol will you be prohibiting firearms and concealed weapons and post that fact? If not, what steps will you take to ensure the health, safety and welfare of those attending?                                                                                                                                                                                     | n/a |    |                                                                                                                                        |                                                                                             |
| 8.                           | Are you planning to erect a stage(s)? If so, please list whether a canopy will be needed over the stage.                                                                                                                                                                                                                                                                                                                    |     | X  |                                                                                                                                        |                                                                                             |
| 9.                           | Are you planning to have tents or temporary structures for the event? (This would require a safety inspection by Fire (715-261-7900) and/or Inspection Dept. (715-261-6780). Have all underground utilities been located prior to pounding stakes or fence posts into the ground? Call Parks Dept. (261-1550 for public property or Digger's Hotline 1-800-242-8511 for private property at least 10 days prior to set up.) |     | X  |                                                                                                                                        |                                                                                             |

|     |                                                                                                                                             |  |   |                                                                 |  |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------|--|---|-----------------------------------------------------------------|--|
| 10. | Will there be food or beverage vending? Have vendors received approval and permits by the Marathon County Health Department? (715-261-1900) |  | X | Brick and Mortar Restaurants will be serving food and beverage. |  |
| 11. | Will there be other types of vending? Describe.                                                                                             |  | X |                                                                 |  |

| Please answer all questions: |                                                                                                                                                                                                                    | YES | NO | Describe specifically and completely (how many, what, where, why)                      | Are you expecting the City to provide this service? Please indicate who or what you expect. |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| 12.                          | Will you need The 400 Block stage?                                                                                                                                                                                 |     | X  |                                                                                        |                                                                                             |
| 13.                          | Will you use the planter electrical pedestals or need additional electrical panels?                                                                                                                                | X   |    | Possibly for a musician to busk on the sidewalk                                        |                                                                                             |
| 14.                          | Will vendors or anyone else need electricity at the event? Have each of the vendors completed the food & beverage work stand questionnaire for Electrical Inspectors to be submitted with your events application? |     | X  |                                                                                        |                                                                                             |
| 15.                          | Have you provided sufficient restroom facilities or portable toilets for this event, in accordance with Health Department 715-261-1900?                                                                            | X   |    | Restrooms are available in all businesses and public areas.                            |                                                                                             |
| 16.                          | Have you provided available drinking water?                                                                                                                                                                        | X   |    |                                                                                        |                                                                                             |
| 17.                          | Have you provided sufficient refuse collection bins and arranged for cleanup of the premises within 24 hours after the event in accordance with Health Department and City                                         | X   |    |                                                                                        |                                                                                             |
|                              | i t ?<br>a. Have you contracted with a company to provide garbage and recycling services?                                                                                                                          |     | X  | We would use the garbage cans on 3 <sup>rd</sup> Street for minimal refuse collection. |                                                                                             |
|                              | b. How many of the following will you provide for the event (Please list):<br>Garbage Containers?<br>Recycling containers for glass, plastic, aluminum, cardboard and paper?                                       | n/a |    |                                                                                        |                                                                                             |
|                              | c. Have arrangements been made to empty and/or collect garbage and recycling containers within 24 hours after the event?                                                                                           | n/a |    |                                                                                        |                                                                                             |

|     |                                                                                                                                                            |   |   |                                                                                                         |  |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---------------------------------------------------------------------------------------------------------|--|
| 18. | Is there entertainment such as bands, amplifiers, circus, performances, etc.? Have the neighboring residences been notified of expectations of this event? | X |   | Possibly Busking musician, noise level will be ambient. Neighbors will be notified.                     |  |
|     | Will you need The 400 Block sound system?                                                                                                                  |   | X |                                                                                                         |  |
|     | Will you need The 400 Block light system?                                                                                                                  |   | X |                                                                                                         |  |
| 19. | Does your event occur at night or continue into evening (dark) hours? If so, what is your plan for lighting and security?                                  | X |   | The event may go to dusk, but the street lights will illuminate the streets enough for event take down. |  |

| Please answer all questions: |                                                                                                                                                                                                                                                                                                | YES | NO | Describe specifically and completely (how many, what, where, why)                  | Are you expecting the City to provide this service? Please indicate who or what you expect. |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| 20.                          | Will there be overnight camping at the event premises? If so, what is your plan for public health, lighting and security issues?                                                                                                                                                               |     | X  |                                                                                    |                                                                                             |
| 21.                          | Will there be fireworks or pyrotechnics at this event? Have you obtained the necessary permits from Fire Inspectors 715-261-7900?                                                                                                                                                              |     | X  |                                                                                    |                                                                                             |
| 22.                          | Is there an emergency plan in place for accidents, injuries, fires, severe weather, etc.?                                                                                                                                                                                                      | X   |    | Standard WRD Emergency Plan – fire lane will remain open on 3 <sup>rd</sup> Street |                                                                                             |
| 23.                          | Will this event involve amusement games and rides? Have you complied with the WI Administrative Code Chapter 34 with regard to amusement rides?                                                                                                                                                |     | X  |                                                                                    |                                                                                             |
| 24.                          | Will this event hold a raffle? Have you complied with the legal requirements in Wisconsin through the Dept. of Administration? (608-270-2552)                                                                                                                                                  |     | X  |                                                                                    |                                                                                             |
| 25.                          | Will this event require street closure? Have the neighbors been notified of the request to temporarily close the street and the times of the closure?                                                                                                                                          | X   |    | Businesses and neighbors will be notified upon approval of event permit.           |                                                                                             |
| 26.                          | Have you obtained orange safety vests and provided training for route guides on runs/walks?                                                                                                                                                                                                    | n/a |    |                                                                                    |                                                                                             |
| 27.                          | Will there be any traffic control, crossing assistance, security or parking issues due to this event? Have you consulted with the Police Dept. 715-261-7800. (You must consult with and have approved through the Wausau Police Department, temporary traffic regulation needs and locations.) | X   |    | WRD Volunteers will help monitor all crossing intersections.                       |                                                                                             |
| 28.                          | Is closure and/or detouring needed for WIS 52 or Bus 51 in the city? WI DOT application required. Form: DT1479                                                                                                                                                                                 |     | X  |                                                                                    |                                                                                             |
| 29.                          | Does this event need private shuttle transportation (buses)? Have you arranged for private service with drop-off and pickup points to this event?                                                                                                                                              |     | X  |                                                                                    |                                                                                             |

|     |                                                                                                                                   |     |   |                                      |  |
|-----|-----------------------------------------------------------------------------------------------------------------------------------|-----|---|--------------------------------------|--|
| 30. | Have you obtained and provided to the Clerk adequate liability insurance with the City of Wausau named as the additional insured? | X   |   | 1,000,000 policy                     |  |
| 31. | Have you provided a complete time schedule and location itinerary of the parade staging & route?                                  | n/a |   |                                      |  |
| 32. | Does this event need temporary bike racks? If so, how many and where?                                                             |     | X | We will utilize existing bike racks. |  |

Please list all vendors participating in your event (attach additional pages if necessary)

Contact the Marathon County Health Dept. 715-261-1900 to discuss your food service plan prior to the event.

Vendor Business Name:

Individual Contact Name:

Street Address, City, Zip:

Business and Home Phone #:

Type of Merchandise being sold:

(For food/beverage - submit food & beverage stand worksheet for each stand)

State of Wisconsin Seller's Permit (sales tax) #

Marathon County Health Department Permit (food / beverage products) #

Vendor Business Name:

Individual Contact Name:

Street Address, City, Zip:

Business and Home Phone #:

Type of Merchandise being sold:

(For food/beverage - submit food & beverage stand worksheet for each stand)

State of Wisconsin Seller's Permit (sales tax) #

Marathon County Health Department Permit (food / beverage products) #

Vendor Business Name:

Individual Contact Name:

Street Address, City, Zip:

Business and Home Phone #:

Type of Merchandise being sold:

(For food/beverage - submit food &amp; beverage stand worksheet for each stand)

State of Wisconsin Seller's Permit (sales tax) #

Marathon County Health Department Permit (food / beverage products) #

**Food and Beverage Stand Registration Worksheet**

Organization:

Chairman / President:

Contact Person:

Address:

Work Phone #

Home or Cell Phone #

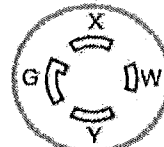
Describe Food(s) and/or Beverages  
you plan to sell:Describe Food Stand and EXACT Measurements  
(indicate if you will be using a wagon):

Self-contained Wagon: (circle one if applies)      240V      or      120V

Describe EXACT Space Requirements:ELECTRICAL NEEDS: The Health Department      you to have HOT WATER available. You may need to use  
requires an appliance to keep it heated.**Vendor Electrical Request****Require Less than 50 amps:** Vendors requiring 50 AMPS or less will be cord and plug  
connected. Specify from available plug configurations listed below. **Plug adapters**  
need are not provided.**NEMA 5-15R**  
**15A 125V****NEMA 5-20R**  
**20A 125V**

5-15R/5-

20R      Number Requested

**NEMA L14-30R**  
**30 Amps**  
**125 / 250 Volts**      Maximum

L14-30

of One

|                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>NEMA# 14-50R</b><br/> <b>50 Amp</b><br/> <b>1-120/240 VAC</b></p>                                 | <p> <b>(800) 597-9311</b></p>  <p><b>50 Amp 125/250 Volt Locking</b><br/> <b>Flush Mount Receptacle</b><br/> <b>Non-NEMA Configuration</b></p> <p><small>www.ATDistributors.com</small></p> |
| 14-50R                                                                                                                                                                                   | Maximum of One                                                                                                                                                                                                                                                                                                                                                    |
| 50 AMP125/250                                                                                                                                                                            | Maximum of One                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>Require more than 50 AMPS:</b> Vendors requiring greater than 50 AMPS will be hard wired to an electrical distribution panel. Specify estimated total electrical requirements:</p> |                                                                                                                                                                                                                                                                                                                                                                   |
| AMPS                                                                                                                                                                                     | VOLTS                                                                                                                                                                                                                                                                                                                                                             |
| WIRE SIZE                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Worn or defective equipment will not be connected.</p>                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                   |

I agree to indemnify and save harmless the City of Wausau and Marathon County, and their employees, elected and appointed officials, and agents from any and all liability from claims of bodily injury, property damage, or any other nature whatsoever arising out of the use of Wausau or Marathon County properties, equipment, or services herein specified.

Signature of

Event Organizer: Blake Opal-Wahoske

Date: 5/24/20

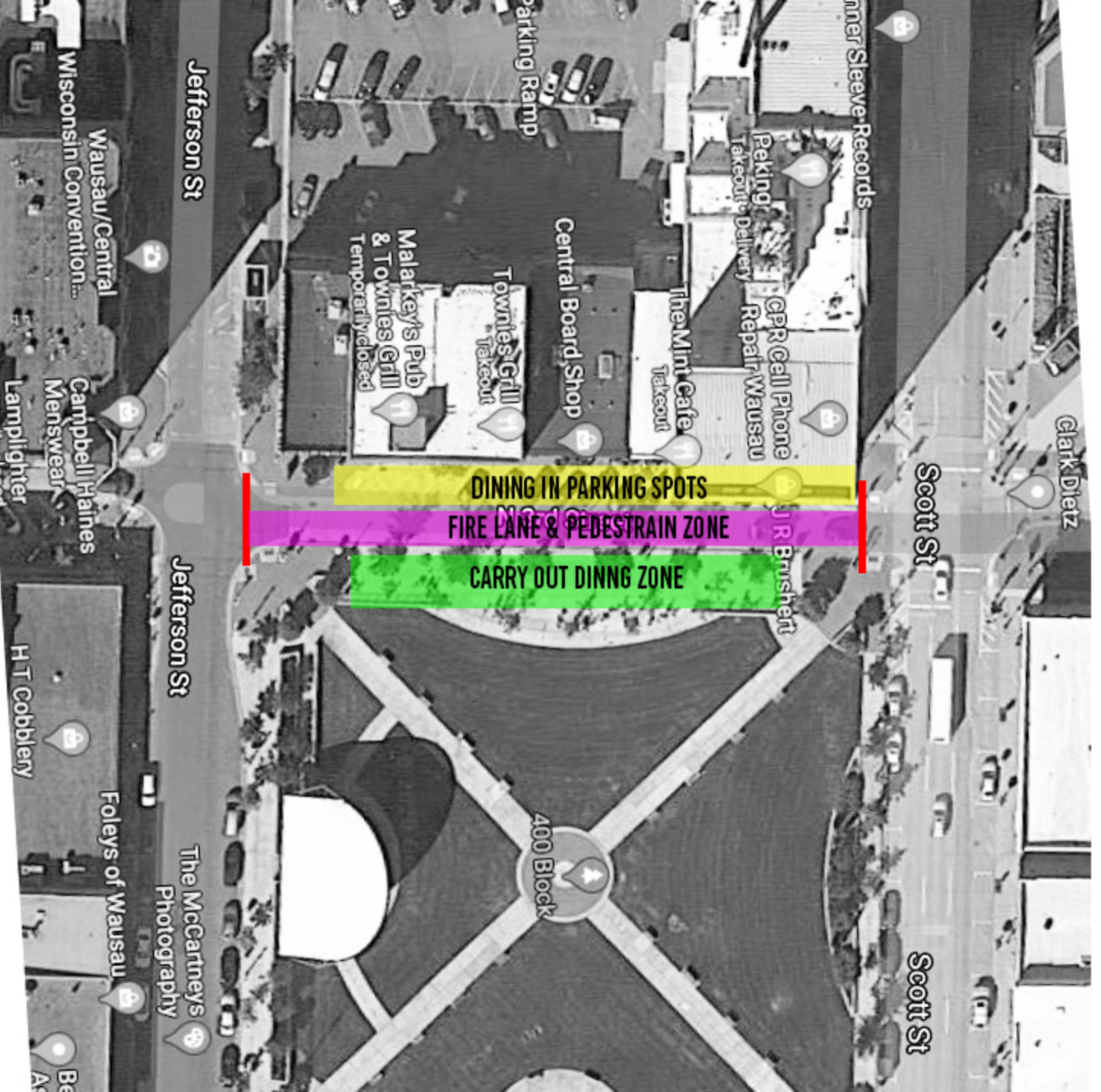
**\*\*\*Attention Organizer:**

If your organization receives funding through City's room tax appropriation process you must complete the attached budget statement or submit an itemized budget statement. Your proposed budget must be submitted with this application and your actual budget must be submitted within 90 days after the end of your event.

PH&S Approval: 10/19/2004

Council Approval: 11/9/2004

Application Revised: 11/13/2018





Inner Sleeve Records

Peking  
Takeout • Delivery

CPR Cell Phone  
Repair Wausau

J R Brushert

The Mint Cafe  
Takeout

Central Board Shop

Townies Grill  
Takeout

Malarkey's Pub  
& Townies Grill  
Temporarily closed

Parking Ramp

400 Block

Salon & Spa  
Temporarily closed

Jefferson St

Jefferson St

The McCartneys  
Photography

Foleys of Wausau

Beche  
Assoc

Campbell Haines  
Menswear

Lamplighter  
Temporarily closed

H T Cobblers

Third Street  
Lifestyle Center

Polito's Pizza  
Takeout • Delivery

Tundraland Home  
Improvements

Ciao  
Takeout • Delivery

Absolute Hair Studio

Sweet Lola's Cupcakery  
& Bakeshop

Oz Nightclub

Do Mi

Jalapenos Mexican  
Restaurant & Bar  
Takeout • Delivery

Washington Square

Val Kryshak Jewelers

Washington St

Washington St

Washington St

Google

Washington St



**DINING IN PARKING SPOTS**

**FIRE LANE & PEDESTRAIN ZONE**

Lemmen Creative Design

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

**RESOLUTION OF THE COMMON COUNCIL**

Approving Termination of Cross Easement and Approving a Construction Easement with Thrive Properties, LLC – 2105 N. 2<sup>nd</sup> Street

Committee Action: Pending

Fiscal Impact: None

**File Number:** 20-0508

**Date Introduced:** May 26, 2020

**FISCAL IMPACT SUMMARY**

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

**RESOLUTION**

**WHEREAS**, on December 31, 2001, a Cross Easement was entered into between Westgate Real Estate, LLC and Central Wisconsin Children’s Theatre, Inc., the then owners of property at 2105 N. 2<sup>nd</sup> Street and 2001 N. 2<sup>nd</sup> Street for access and use of each other’s property; and

**WHEREAS**, on May 31, 2013, Thrive Properties, LLC purchased the property at 2105 N. 2<sup>nd</sup> Street from Central Wisconsin Children’s Theatre, Inc.; and

**WHEREAS**, on November 22, 2013, AJR Properties South, LLC purchased the property at 2001 N. 2<sup>nd</sup> Street; and

**WHEREAS**, on December 19, 2019, the City purchased the property at 2001 N. 2<sup>nd</sup> Street; and

**WHEREAS**, the City wishes to construct a parking lot on its property; however a portion of the lot will encroach onto Thrive Properties, LLC property and wishes to terminate the Cross Easement and enter into an easement with Thrive Properties, LLC.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Wausau that it hereby approves the execution of the Termination of Easement and Construction Easement substantially in the form of those which are attached hereto and incorporated herein by reference, and the proper City officials are hereby authorized and directed to execute said easements.

Approved:

---

Katie Rosenberg, Mayor

1259762 . .

FORM NO. 985-A

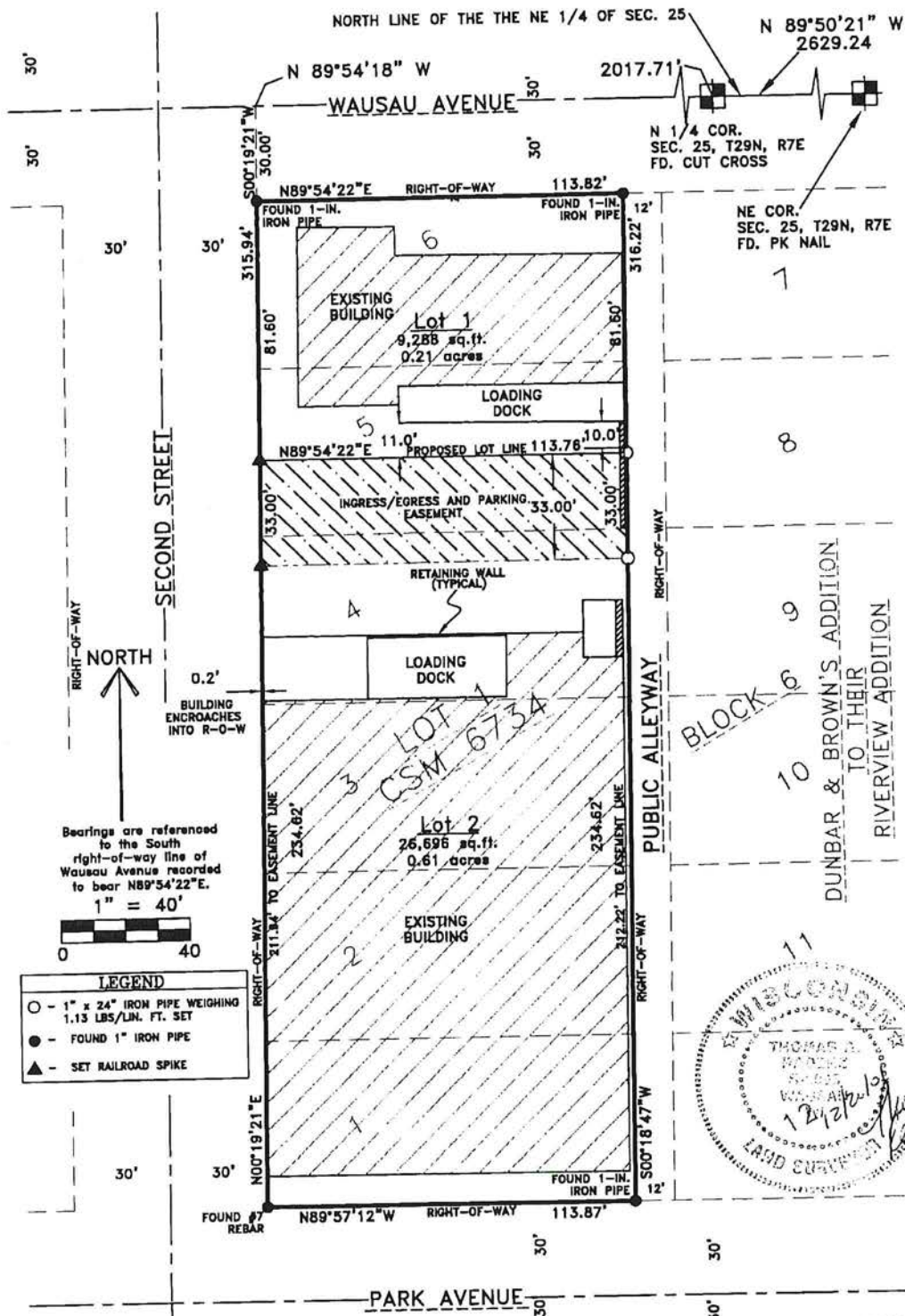
Lot 5+6

Lot 1: 291.4. 2907.252.0570 Stock No. 26273 12173

Lot 2: 291.4. 2907.252.0571 Lot 1, 2, 3, 4 & 5

R.E.I. 4080 N. 20th AVE WAUSAU, WI 54401 (715)675-9784  
MARATHON CO. CERTIFIED SURVEY MAP NO. 12179

of Lots 1, 2, 3, 4, 5, & 6, Block 6 of the plat of DUNBAR & BROWN'S ADDITION to their RIVERVIEW ADDITION to the CITY OF WAUSAU, also recorded as Lot 1 of Marathon County Certified Survey Map No. 6734 located in the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 25, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin.



RECORDED

November 19, 2019 10:34 AM

DEAN J. STRATZ, REGISTER OF DEEDS



CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING  
4080 N. 20TH AVENUE, WAUSAU, WI 54401  
(715) 675-9784

## MARATHON COUNTY CERTIFIED SURVEY MAP

MAP NO. 18486 VOLUME 91 PAGE 117

PREPARED FOR: GHIDORZI COMPANIES, INC.

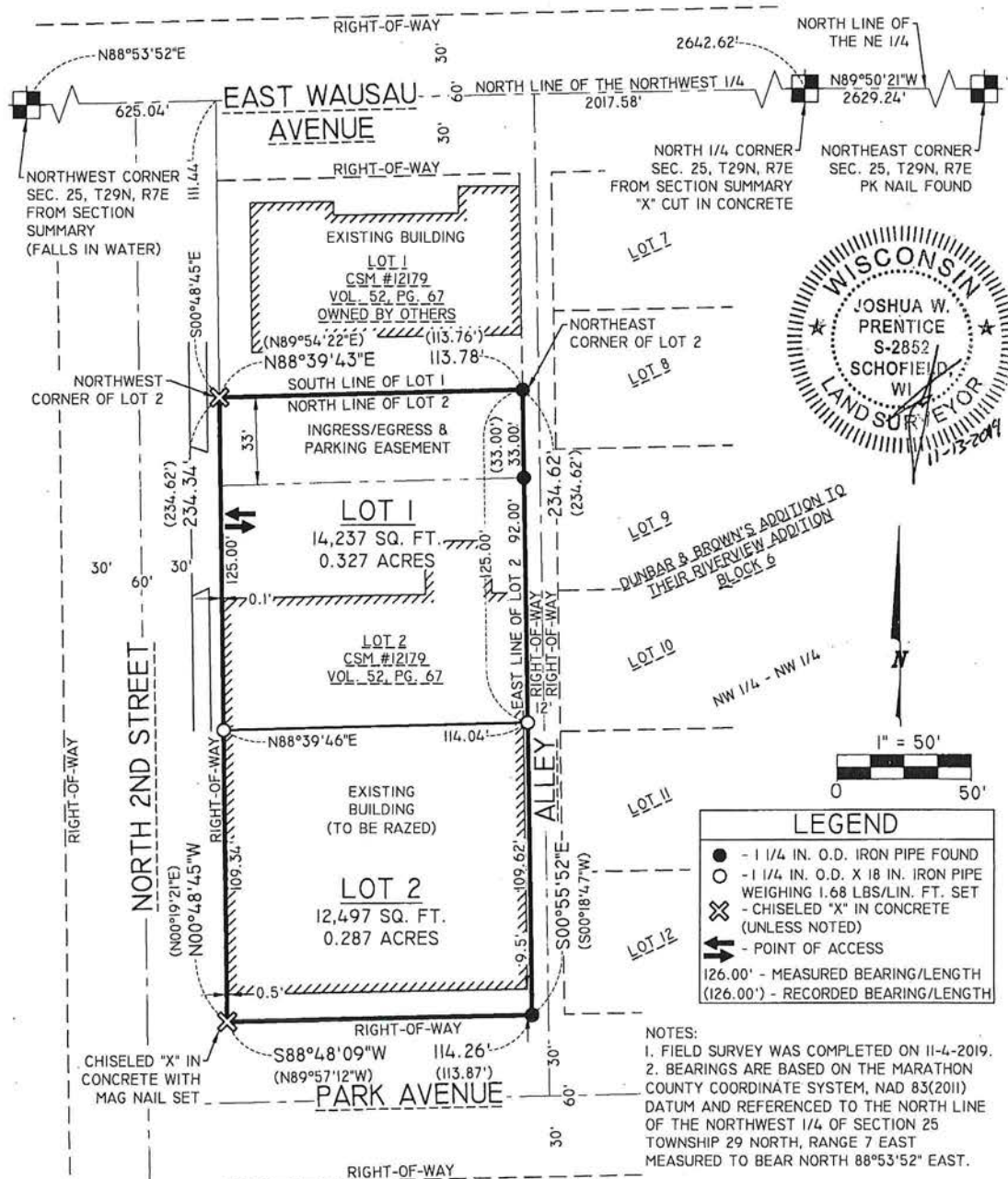
LANDOWNER: AJR PROPERTIES NORTH LLC.

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NUMBER 12179, RECORDED IN VOLUME 52, ON PAGE 67, AS DOCUMENT NUMBER 1259762, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; BEING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN.

DOC# 1792565 PAGES: 2



1792565



Document No.

**TERMINATION OF CROSS  
EASEMENT**

Document Title

THIS TERMINATION OF CROSS EASEMENT, dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020 (this "Termination"), is by the City of Wausau, a municipal corporation in the County of Marathon and State of Wisconsin, hereinafter referred to as "CITY," and Thrive Properties, LLC, a domestic limited liability company, hereinafter referred to as "THRIVE".

WITNESSETH:

WHEREAS, Pursuant to that certain Cross Easement, dated December 31, 2001, and recorded on January 4, 2002, in the Office of the Register of Deeds for Marathon County as Document Number 1261639 (the "Easement") WESTGATE REAL ESTATE, LLC, a Wisconsin Limited Liability Company, hereinafter referred to as "WESTGATE", granted to CENTRAL WISCONSIN CHILDREN'S THEATRE, INC., a Wisconsin non-profit corporation, hereinafter referred to as "THEATRE," an easement over the real property described on Exhibit A attached hereto (the "Property") the right to ingress and egress across the designated easement area within the Property owned by WESTGATE and THEATRE granted a cross easement giving WESTGATE the right to use all of THEATRE's property south of THEATRE's building for parking; and

WHEREAS, as of the date of this Termination, THRIVE is successor in interest of Lot 1, of CSM 12179 and CITY is the successor in interest of Lot 1 of CSM 18486; and

WHEREAS, CITY and THRIVE desire to release all of their rights under, and to terminate, the Cross Easement.

NOW, THEREFORE, CITY and THRIVE as owners of the Property and holders of the rights under the Cross Easement, terminate and extinguish the Cross Easement, and declare that all terms and provisions of the Cross Easement shall hereinafter become null and void.

[Signature Page Follows]

Recording Area

Name and Return Address

PIN: 291-2907252-0570

CITY and THRIVE are signing this Termination of Cross Easement as of the date in the introductory paragraph.

CITY OF WAUSAU

THRIVE PROPERTIES LLC

By: \_\_\_\_\_  
Katie Rosenberg, Mayor

\_\_\_\_\_

Attest:

\_\_\_\_\_

By: \_\_\_\_\_  
Leslie M. Kremer, Clerk

STATE OF WISCONSIN     )  
                                          ) ss.  
COUNTY OF MARATHON )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2020, Katie Rosenberg and Leslie M. Kremer, of the above-named City of Wausau, Wisconsin, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and Clerk, respectively, and acknowledged that they executed the foregoing instrument as such officers as the deed of said City of Wausau, Wisconsin, by its authority.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission: \_\_\_\_\_

STATE OF WISCONSIN     )  
                                          ) ss.  
COUNTY OF MARATHON )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2020, \_\_\_\_\_  
\_\_\_\_\_ to me known to be the person(s) who executed the foregoing instrument and to me known to be such Mayor and Clerk, respectively, and acknowledged that they executed the foregoing instrument as such officers as the deed of said City of Wausau, Wisconsin, by its authority.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission: \_\_\_\_\_

This instrument was drafted by  
Anne L. Jacobson, City Attorney  
for the City of Wausau  
407 Grant Street  
Wausau, WI 54403-4783

## **EXHIBIT A**

### **Legal Description of Property**

Lot one (1) of Certified Survey Map No. 12179, recorded in the office of the Register of Deeds for Marathon County, Wisconsin, in Volume 52 of Certified Survey Maps on Page 67, as Document No. 1259762; being a part of the Lot one (1) of Certified Survey Map No. 6734 recorded in the office of the Register of Deeds for Marathon County, Wisconsin in Volume 25 of Certified Survey Maps on Page 134; said Certified Survey Map No. 6734 being Lots one (1), two (2), three (3), four (4), five (5) and six (6) in Block six (6) of Dunbar & Brown's Addition to their Riverview Addition to the City of Wausau, Marathon County, Wisconsin; and including

Lot two (2) of CSM 12179, and including Lot 1 of CSM 18486.

**EASEMENT AGREEMENT**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by and between THRIVE PROPERTIES LLC, Grantor, and CITY OF WAUSAU, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, Grantee;

**WITNESSETH:**

That in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid to Grantor by Grantee, receipt of which is hereby acknowledged, Grantor, has this day conveyed, transferred, and delivered unto Grantee a permanent easement and perpetual right to enter upon the real estate hereinafter described to construct, reconstruct, maintain, inspect and/or repair a parking lot which may be constructed on the lands hereinafter described and also for ingress and egress to, from, upon and over the lands hereinafter described for the use as a public parking lot.

The permanent easement and perpetual right of entry is described as follows:

The South 12 feet of Lot 1 of Certified Survey Map No. 12179 recorded in the Office of Register of Deeds for Marathon County in Volume 52 of Certified Survey Maps on Page 67, Section 25, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin.

This easement area excludes any existing landscaping features installed by Grantor lying within said South 12 feet.

In further consideration of this easement by Grantor, Grantee forever agrees to hold Grantor harmless from all damages, loss, or claims which may arise from the existence, use, and/or maintenance of said permanent easement. Grantee further agrees that it will attempt to return the disturbed lands subject to this easement to a similar condition which existed prior to the construction.

No buildings or structures except surface improvements such as, but not limited to, asphalt pavement, sidewalk, curb and gutter, etc. shall be constructed upon or across the permanent easement lands; nor shall large trees be planted upon the permanent easement lands, but small trees and shrubs not exceeding approximately eight feet in height at maturity are permitted.

Grantor covenants that it is lawfully seized and possessed of the real estate above described and that it will defend the title thereto against the lawful claims of all persons whomsoever.

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

Recording Area

Name and Return Address

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

PIN: 291-2907-252-0570

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

CITY OF WAUSAU BY:

THRIVE PROPERTIES LLC BY:

\_\_\_\_\_  
Katie Rosenberg, Mayor

\_\_\_\_\_

\_\_\_\_\_  
Leslie M. Kremer, City Clerk

\_\_\_\_\_

STATE OF WISCONSIN    )  
                                          ) ss.  
COUNTY OF MARATHON)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2020 the above named Katie Rosenberg, Mayor, and Leslie M. Kremer, City Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

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

STATE OF WISCONSIN    )  
                                          ) ss.  
COUNTY OF MARATHON)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2020, the above named \_\_\_\_\_, of \_\_\_\_\_, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

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

.  
  
This instrument was drafted by  
Anne L. Jacobson, City Attorney  
for the City of Wausau  
407 Grant Street  
Wausau WI 54403-4783