



*** All present are expected to conduct themselves in accordance with our City's Core Values ***

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.

SPECIAL MEETING: **COMMON COUNCIL OF THE CITY OF WAUSAU**
Date/Time: **Tuesday, June 23, 2020 at 6:30 pm**
Location: **City Hall (407 Grant Street, Wausau WI 54403) - Council Chambers**
Members: Patrick Peckham, Michael Martens, Tom Kilian, Tom Neal, Jim Wadinski, Becky McElhaney, Lisa Rasmussen, Sarah Watson, Dawn Herbst, Lou Larson, Debra Ryan

Call to Order

Pledge of Allegiance / Roll Call

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

20-0603 Mayor's Appointments

20-0614 PH&S Ordinance Amending 5.90.010 Purpose and intent; and creating temporary ordinance 5.90.060 Temporary outdoor operation for bars and taverns Approved 5-0

Suspend Rule 12 (A) Referral of Resolutions (2/3 vote required)

01-0115 COUN Resolution Relocating District 4 & District 5 Polling Place from the Boys & Girls Club to Thrive Church, located at 400 Grand Avenue Pending

01-0115 COUN Resolution Relocating Districts 6 Polling Place from Wausau East High School to Thrive Church, located at 400 Grand Avenue Pending

20-0615 COUN Resolution Approving Gas Easement with Wisconsin Public Service for the installation of a gas line in Riverside Park Pending

Adjournment

Signed by Katie Rosenberg, Mayor

*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 1-408-418-9388. **The Access Code is: 146 922 3414. Password: 3k2tSs4C4Jp**

Individuals appearing in person will either be seated in the Council Chambers or an overflow 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 <https://waam.viebit.com/?folder=ALL>, on the City of Wausau's YouTube Channel <http://www.tinyurl.com/WAAMedia>, live by cable TV, Channel 981, and a video is available in its entirety and can be accessed at <https://tinyurl.com/WausauCityCouncil>. Any person wishing to offer public comment who does not appear in person to do so, may e-mail leslie.kremer@ci.wausau.wi.us 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.

This Agenda was posted at City Hall and faxed to the Daily Herald newsroom on 6/17/2020 @ 12:30 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 (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 City's ADA Coordinator at (715) 261-6620 or email clerk@ci.wausau.wi.us at least 48 hours prior to the scheduled meeting or event to request an accommodation.

CONFIRMATION OF MAYOR'S APPOINTMENTS

to Boards, Commissions and Committees: *Aiport Committee, Bicycle & Pedestrian Advisory Committee, CIP (Capital Improvements Projects) Committee, Citizens Advisory Committee - CDBG, Ethics Board, Historic Preservation Commission, Police & Fire Commission, Sustainability, Energy & Environment Commission*

File Number: 20-0603 **Date Introduced:** June 23, 2020

Aiport Committee

Frederick Prehn (3) *Reappointment	1105 Highland Dr	Term Exp 4/30/23	715-848-8406
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Bicycle & Pedestrian Advisory Committee

Paul Kage (2) *Reappointment	1810 N 2nd St (Bridge Clinic)	Term Exp 4/30/22	715-261-2103
Kevin Eichelberger (2) *Reappointment	612 Washington St (Red Eye)	Term Exp 4/30/22	715-843-7334
Tyler Wildman (2) *Reappointment		Term Exp 4/30/22	715-870-6967
Keri Anne Connaughty (1) * New (replacing Paul Kaczmarowski)	321 N 13th St	Term Exp 4/30/22	715-350-9285

CIP (Capital Improvements Projects) Committee

Daniel Lemmer (1) *New		Term Exp 4/30/22	715-370-6671
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Citizens Advisory Committtee - CDBG

John Kroll *New (Replacing Sonja Ackerman)	908 Bertha St	Term Exp 4/30/26	608-448-9616
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Historic Preservation Commission

Brian Mason (1) *New (Replacing David Burke)	715 Steuben St	Term Exp 4/30/23	314-707-7591
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Police & Fire Commission

William Harris (N) *Replacing Tony Patterson	316 1/2 N 3rd St, Apt C	Term Exp 4/30/21	715-803-4018
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Sustainability, Energy & Environment Commission

John Kroll (1)
*new

908 Bertha St

Term Exp 4/30/22

608-448-9616

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

Approved:

Katie Rosenberg, Mayor



MEMORANDUM

DATE: June 22, 2020
TO: Leslie Kremer, City Clerk
Mary Goede, Deputy City Clerk
FROM: Mayor Katie Rosenberg
RE: Appointments to various Boards, Committees and Commissions
CC: Department Heads, Council Members

I would like the following new appointments along with some re-appointments placed on the June 23, 2020 City Council Agenda. All individuals have been contacted and have agreed to serve. I will remind each member at that council meeting to call the Clerk's Office to schedule a time when they can come in and take their Oath of Office prior to their first meeting. Please call or email with any questions you may have. Thank you.

POLICE & FIRE COMMISSION

(New Appointment – Fulfilling Tony Patterson's Term – Expires 4/30/21)

William Harris
316-1/2 N. 3rd Street #C
Wausau, WI 54403
715-803-4018
William.harris@co.marathon.wi.us

AIRPORT COMMISSION

(Re-Appointment – Term expires 4/30/23)

Fredrick Prehn (4)
1105 Highland Drive
Wausau, WI 54403
715-848-8406
fred@prehn.co

CIP (CAPITAL IMPROVEMENT PROJECTS) COMMITTEE

(New Appointment – Term expires 4/30/22)

Daniel Lemmer
Address coming later
Wausau, WI 54403
715-370-6671
Dan.Lemmer@yahoo.com

BICYCLE & PEDESTRIAN ADVISORY COMMITTEE

(Re-Appointment – Term expires 4/30/22)

Paul Kage (1)
1810 N. 2nd Street (Bridge Clinic)
Wausau, WI 54403
715-261-2103
paulk@bridgeclinic.org

(Re-appointment – Term expires 4/30/22)

Kevin Eichelberger (1)
612 Washington St. (Red Eye)
Wausau, WI 54403
715-843-7334
Hoprocketeer@fastmail.fm

Office of the Mayor
Katie Rosenberg



TEL: (715) 261-6800
FAX: (715) 261-6808

BICYCLE & PEDESTRIAN cont'd

(Re-appointment – Term expires 4/30/22)

Tyler Wildman (1)

715-870-6967

Tyler.wildman@libertymutual.com

(New Appointment - Replacing Paul Kaczmarowski– Term expires 4/30/22)

Keri Anne Connaughty

321 N. 13th Street

Wausau, WI 54403

715-350-9285

keriannevs@gmail.com

SUSTAINABILITY, ENERGY & ENVIRONMENT COMMITTEE

(New Appointment – Term expires 4/30/22)

John Kroll

908 Bertha Street

Wausau, WI 54403

608-448-9616

John.kroll@outlook.com

CITIZEN'S ADVISORY COMMITTEE – CDBG

(New Appointment – Replacing Sonja Ackerman who resigned – Term expires 4/30/26)

John Kroll

908 Bertha Street

Wausau, WI 54403

608-448-9616

John.kroll@outlook.com

HISTORIC PRESERVATION

(New Appointment – Replacing expired term of David Burke – Term expires 4/30/23)

Brian Mason

715 Steuben Street

Wausau, WI 54403

(314) 707-7591

brian@uuwausau.org

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

ORDINANCE OF THE PUBLIC HEALTH & SAFETY COMMITTEE

Amending 5.90.010 Purpose and intent; and creating temporary ordinance 5.90.060 Temporary outdoor operation for bars and taverns.

Committee Action:

Ordinance Number:

Fiscal Impact: None

File Number: 20-0614

Date Introduced: June 23, 2020

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

Add ()

Delete (——)

Section 1. That Section 5.09.010 Purpose and intent is hereby amended 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 also recognizes that local bars and taverns additionally may struggle to provide recommended social distancing within their licensed establishments during the COVID-19 pandemic and recovery period. Accordingly, the 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. The Common Council also wishes to provide similar temporary relief to bars and taverns in accordance with the criteria set forth in section 5.90.060 of this chapter, recognizing that unique considerations with respect to the nature of such businesses that focus primarily on the service and consumption of alcohol beverages and the potential impact their outdoor operation may have on neighboring properties requires consideration of separate guidelines and a need for regulation different than that of restaurants. 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 2. That Section 5.90.060 Temporary outdoor operation for bars and taverns is hereby created to read as follows:

5.90.060 Temporary outdoor operation for bars and taverns. (a) Operation on public sidewalk. Any bar or tavern located within the City seeking to utilize the public sidewalk for additional seating for its establishment, that holds a valid alcohol beverage license, may apply for a temporary sidewalk café permit following the procedure set forth in subsections 5.63.040(a) and (b) 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 operations. No application for outdoor seating under a temporary sidewalk café permit shall be approved in the absence of an approved temporary amendment to the licensed premises; the application for the temporary sidewalk café permit may be submitted at the same time as the application for temporary amendment of licensed premises. Applications may be approved or denied by the Public Health & Safety Committee. Any person aggrieved by the decision of the Public Health & Safety Committee may appeal to the Common Council. A temporary sidewalk café permit may be suspended or revoked as set forth in section 5.63.100 of this Code.

(b) Temporary amendment of licensed premises.

(1) Application. Any bar or tavern may submit an application to temporarily expand the area identified as the licensee's "licensed premises" to include an area for which it intends to seek a sidewalk café permit, or an outdoor space located on their premises which is adjacent to the licensed bar or tavern 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. Applications may be approved or denied by the Public Health & Safety Committee. Any person aggrieved by the decision of the Public Health & Safety Committee may appeal to the Common Council.

(2) Criteria for granting temporary amendment of licensed premises. No temporary amendment of licensed premises for outdoor seating under this section will be approved unless the applicant meets or supplies all of the following:

(i) Submits a site plan showing the size of the proposed temporary outdoor premises, ingress/egress to building, lot lines, setback and location of tables and identifies all structures zoned for residential purposes within fifty (50) feet of the proposed temporary outdoor premises.

(ii) The proposed temporary outdoor premises must be contiguous to the licensed premises approved as part of the applicant's original, annual license.

(iii) The proposed temporary outdoor premises must be entirely visible at all times from the indoor licensed premises or must have licensed bartender located within and supervising the temporary outdoor premises during its operation.

(iv) The proposed temporary outdoor premises cannot be greater than fifty (50) percent of the gross floor area of the applicant's licensed premises approved as part of the applicant's original, annual license.

(v) The proposed temporary outdoor premises must be located more than fifty (50) feet from a structure zoned for residential purposes, unless the applicant provides the written consent of all of the owners or tenants residing in such structure(s) to the operation of the proposed temporary outdoor premises.

(vi) The licensee or licensed establishment may not have more than 50 (fifty) demerit points pursuant to section 5.64.078 on the date of application.

(vii) The licensee or licensed establishment shall have no convictions under this Code for noise disturbance within one (1) year preceding the application.

(viii) If located on the City right of way, the applicant must agree to indemnify and hold the City harmless with respect to its activities on the right of way, provide the City with a certificate of insurance, name the city as an additional insured, and meet all other requirements of section 5.63.070.

(3) 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.

(4) Standards and requirements. Any bar or tavern granted a temporary expansion of its licensed premises under this section shall comply with the following additional standards and requirements:

(i) The temporary outdoor premises shall only be permitted to be operated from 12:00 p.m. to 10:00 p.m.

(ii) The temporary outdoor premises shall be defined by an enclosure designed to separate and distinguish the outdoor area in such a way that patrons can be easily identified from passersby and other foot or vehicle traffic in order to ensure alcohol is not served to underage individuals.

(iii) Patrons must be seated unless engaged in entering or exiting the temporary outdoor premises.

(iv) Alcohol must be dispensed from service stations or areas located within the premises identified and approved as part of the licensee's annual license application; no service stations for alcohol may be established in the temporary outdoor premises.

(v) No part of the temporary outdoor premises may be utilized for recreational activities, including darts or card games.

(vi) Outdoor premises shall be further operated in accordance with the sidewalk café standards of W.M.C. §5.63.060(b)(1), (b)(4), (d) through (h) and (l).

(vii) Three or more substantiated noise complaints against the temporary outdoor premises during the period for which the temporary expansion is granted shall be sufficient grounds to revoke the temporary outdoor premises amendment subject to the provisions of Wis. Stat. §125.12.

Section 3. All provisions of City ordinances not specifically altered by this temporary ordinance shall remain in effect.

Section 4. This ordinance shall be in full force and effect on the day after its publication.

Section 5. 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



Office of the City Attorney

TEL: (715) 261-6590

FAX: (715) 261-6808

Anne L. Jacobson
City Attorney

Tara G. Alfonso
Assistant City Attorney

Nathan Miller
Assistant City Attorney

COMMENTS REGARDING PROPOSED ORDINANCE FOR TEMPORARY
EXPANSION OF ALCOHOL SERVICE INTO OUTDOOR AREAS FOR
BARS AND TAVERNS DURING COVID-19 PANDEMIC AND RECOVERY PERIOD

- The Public Health & Safety Committee provided it would consider entertaining criteria for permitting local bars and taverns to apply for temporary sidewalk café permits and/or temporarily expanded licensed premises to serve alcohol outdoors during the period of COVID-19 pandemic and recovery.
- Recognizing there are different considerations to be evaluated relating to the outdoor operation of bars and taverns given the nature of their primary business focus on the consumption and service of alcohol beverages, the proposed ordinance is different in a number of respects to that previously passed by the Common Council for temporary outdoor seating and service for restaurants. 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.
 - Unlike the temporary ordinance provisions governing outdoor seating for restaurants, approval of temporary sidewalk café permits and temporary amendment of licensed premises for bars and taverns lies with the Public Health & Safety Committee, rather than being delegated to the City Clerk.
 - Criteria for granting temporary permission for outdoor operation include a requirement that the proposed outdoor premises must be located more than 50 feet from a structure zoned for residential purposes (or consent of the residential neighbors must be obtained); the proposed outdoor area cannot be greater than 50% of the indoor licensed premises; the establishment cannot have more than 50 demerit points assessed against it on the date of application; and the licensee or licensed establishment can have no convictions for noise disturbances within 1 year.
 - Among other standards or requirements to be followed, a bar or tavern provided the opportunity to temporarily expand its premises outdoors may

only operate that outdoor area between the hours of 12:00 p.m. and 10:00 p.m. and the outdoor area must be designated by an enclosure.

- Three or more substantiated noise complaints against the outdoor premises constitutes sufficient grounds to proceed to revoke the temporary outdoor premises amendment under Wis. Stat. §125.12.

PUBLIC HEALTH & SAFETY COMMITTEE

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

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

Others Present: Alfonso, Kremer, Goede, Rosenberg, Barteck, Bliven, Tim Nawrocki & Jackie Stoehr., Rick Gordon, Newchee Lor, Steve Hutchison, Meryl Kelch Kelly Ballard & Leslie Patterson

Discussion and possible action on an ordinance Amending 5.90.010 Purpose and intent; and creating temporary ordinance 5.90.060 Temporary outdoor operation for bars and taverns

Rasmussen stated the Assistant City Attorney Alfonso was asked to come up with some criteria by which bars and taverns could request an outdoor area to assist in running their business during the COVID pandemic, similar to what we have allowed restaurants to do temporarily. The committee reviewed and discussed the criteria in the draft included in the packet.

Rasmussen noted the draft refers to more than 100 feet from a residence, however, the new zoning code requires outdoor premises to be located more than 50 feet from a structure zoned for residential purpose. Establishments must maintain control of the premise and not operate outdoors after 10:00 p.m. Three or more substantiated noise complaints gives the committee the right to take it away. Demerit points assessed may not exceed 50 points at the time of application, with no look back. The ordinance will expire on October 31, 2020.

Motion by McElhaney, second by Peckham to approve the ordinance with the changes outlined above. Motion carried 5-0.

MEMO TO COUNCIL

TO: Wausau City Council

From: Leslie Kremer, City Clerk

Subject: Resolutions: Relocating Polling Place for Districts 4 & 5 and for District 6

District 4 & 5

In March, 2020, Kim Larson of the Boys & Girls Club contacted me to advise that the facility has been notified by its national organization that the Wausau Boys & Girls Club must implement new safety standards and perform significant building renovations before the end of the year. Ms. Larson advised that after the May, 2020 election, the Boys & Girls Club could no longer be used as a polling site.

I have reached out to several churches that are located in or near Districts 4 & 5, however, when I made contact with these facilities, none of them were interested in allowing us to use the facilities for elections due to concerns about COVID and the fact that places of worship were closed to their own parishioners.

My staff and I visited Thrive Church, located at 400 Grand Avenue as Thrive was willing to allow us to use its facilities for the elections. When we toured the facility, it became immediately apparent that Thrive Church would be a perfect location to hold elections. There is a very large auditorium we will use to set up the District 4 & 5 polling location. In addition, the facilities are handicapped accessible, there is more than enough parking space available in which to accommodate a high number of voters and the atmosphere of the facility is welcoming. It is my recommendation that the Council approve the Resolution relocating the District 4 & 5 polling location from Boys & Girls Club to Thrive Church. Information has been added to the June City Newsletter alerting residents in District 4 & 5 that the City must relocate voters in the District to a new polling location and to watch for additional information on where the new location will be. If the Council approves the proposed Resolution, all residents in District 4 & 5 will be mailed notification of the new polling location.

District 6:

District 6 voters have been voting at Wausau East High School. It has become more difficult to manage elections at this location as there are student activities occurring throughout the day and evening while voters are visiting the polling site and elections that occur when school is in session require the additional management of student safety. The City is required to have emergency police present during the entire Election Day to assist with safety measures. All Election Day Workers at the polling location must also provide a copy of their driver's license to the school for background check purposes or we cannot allow them to work the election.

It has been the City's desire to move polling locations out of school facilities due to the challenges mentioned above. Wausau East is the only remaining polling location at a school.

When my staff and I visited Thrive Church, we were offered the use of a second space that would work extremely well for a polling site for District 6 voters. As stated above, the facilities at Thrive Church are handicapped accessible, there is more than enough parking space available in which to accommodate a high number of voters and the atmosphere of the facility is welcoming. It is my recommendation that the Council approve the Resolution relocating the District 6 polling location from Wausau East High School to Thrive Church. We will continue to look for a facility that is located in District 6 once the COVID concerns are under control and facilities are again willing to consider the request to use their space. Information has also been added to the June City Newsletter alerting residents in District 6 that the City may be relocating the polling location for residents in this district and to watch for additional information. If the Council approves the proposed Resolution, all residents in District 6 will be mailed notification of the new polling location.

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

RESOLUTION OF THE COMMON COUNCIL

Relocating District 4 & District 5 Polling Place from the Boys & Girls Club to Thrive Church, located at 400 Grand Avenue.

Committee Action: Pending

Fiscal Impact: Postage expense of notification to all residents affected by this change.

File Number: 01-0115

Date Introduced: June 23, 2020

WHEREAS, voters in Districts 4 and 5 have been voting at the Boys & Girls Club, 1710 N 2nd Street; and

WHEREAS, the owners of the facility have notified the City that circumstances have changed and the facility will no longer be available for use as a polling place; and

WHEREAS, Thrive Church located at 400 Grand Avenue is available as a polling place and has a large available space to accommodate voters, staff and equipment for elections; and

WHEREAS, Thrive Church is handicapped accessible and has more than sufficient parking space to support a large number of voters; now therefore

BE IT RESOLVED, by the Common Council of the City of Wausau that the Thrive Church located at 400 Grand Avenue be established as the polling location for electors located in Districts 4 and 5 for all elections beginning with the Fall Primary, 2020; and

BE IT FURTHER RESOLVED, that all residences in Districts 4 and 5 be notified by mail of the location of the new polling site.

Approved:

Katie Rosenberg, Mayor

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

RESOLUTION OF THE COMMON COUNCIL

Relocating Districts 6 Polling Place from Wausau East High School to Thrive Church, located at 400 Grand Avenue

Committee Action: Pending

Fiscal Impact: Postage expense of notification to all residents affected by this change.

File Number: 01-0115

Date Introduced: June 23, 2020

WHEREAS, voters in District 6 vote at Wausau East High School located at the 2607 N 18th Street:
and

WHEREAS, due to safety regulations for students and staff, Wausau East High School requires the presence of emergency police when school is in session, resulting in the requirement for extra staff during elections; and

WHEREAS, it is the city's intention to move all poll sites out of school buildings to further promote safety of our students and voters during elections; and

WHEREAS, Thrive Church located at 400 Grand Avenue, is available as a polling place and has adequate space to accommodate voters, staff and equipment for elections; and

WHEREAS, Thrive Church is handicapped accessible and has more than sufficient parking for a large number of voters; now therefore

BE IT RESOLVED, by the Common Council of the City of Wausau that Thrive Church, 400 Grand Avenue, in Wausau, be established as a polling location for electors located in District 6 for all elections beginning with the Fall Primary, 2020; and

BE IT FURTHER RESOLVED, that all residences in District 6 be notified by mail of the location of the new polling site.

Approved:

Katie Rosenberg, Mayor

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

RESOLUTION OF THE COMMON COUNCIL

Approving Gas Easement with Wisconsin Public Service for the installation of a gas line in Riverside Park

Committee Action: Pending

Fiscal Impact: None

File Number: 20-0615

Date Introduced: June 23, 2020

FISCAL IMPACT SUMMARY

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

RESOLUTION

WHEREAS, the City received a request from Wisconsin Public Service (WPS) for the installation of a gas line in Riverside Park as proposed in the attached exhibit; and

WHEREAS, the installation would require the execution of an easement granting WPS access to city property.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wausau that it hereby approves the execution of the gas easement and the proper City officials are hereby authorized and directed to execute said easement.

Approved:

Katie Rosenberg, Mayor

1051365 WPSC

DOCUMENT NUMBER

GAS EASEMENT

THIS INDENTURE is made this _____ day of _____, by and between **The City of Wausau**, ("Grantor") and **WISCONSIN PUBLIC SERVICE CORPORATION**, a Wisconsin Corporation, along with its successors and assigns (collectively, "Grantee") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor, owner of land, hereby grants and warrants to, Grantee, a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area" more particularly described as follows:

Part of the Parcel described in Marathon County Register of Deeds Volume 227 on page 51, recorded as Document Number 242592, being part of Government Lot 2 of Section 35, Township 29 North, Range 7 East, **City of Wausau, County of Marathon, State of Wisconsin**, as shown on the attached Exhibit "A".

Return to:
Wisconsin Public Service Corp.
Real Estate Dept.
P.O. Box 19001
Green Bay, WI 54307-9001

Parcel Identification Number (PIN)
29129073510981

- 1. Purpose: GAS** - The purpose of this easement is to construct, install, operate, maintain repair, replace and extend underground utility facilities, pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
- 2. Access:** Grantee shall have the right to enter on and across any of the Grantor's property outside of the easement area as may be reasonably necessary to gain access to the easement area and as may be reasonably necessary for the construction, installation, operation, maintenance, inspection, removal or replacement of the Grantee's facilities.
- 3. Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric and gas codes or any amendments thereto.
- 4. Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
- 5. Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.

6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until sometime in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

[REMAINDER OF PAGE LEFT BLANK]

WITNESS the hand and seal of the Grantor the day and year first above written.

The City of Wausau

Corporate Name

Sign Name

Print name & title

Sign Name

Print name & title

STATE OF _____)
COUNTY OF _____)SS

This instrument was acknowledged before me this _____ day of _____, _____, by the above-named _____

The City of Wausau, to me known to be the Grantor(s) who executed the foregoing instrument on behalf of said Grantor(s) and acknowledged the same

Sign Name _____
Print Name _____

Notary Public, State of _____
My Commission expires: _____

This instrument drafted by: Brenen Burningham
Wisconsin Public Service Corporation

Date	County	Municipality	Site Address	Parcel Identification Number
May 19, 2020	Marathon	City of Wausau	S 1st Ave	29129073510981
Real Estate No.	WPSC District	WR#	WR Type	I/O
1051365	Wausau	3071702	GCA	6000272

EXHIBIT "A"

NOT TO SCALE
FOR REFERENCE ONLY

NORTH

12 FOOT WIDE EASEMENT

****Temporary Exhibit ****

****Final Exhibit will be sent for approval at a later date****

29129073510981

29129073510981

RIVERSIDE PARK

SHERMAN ST