



OFFICIAL NOTICE AND AGENDA

Notice is hereby given that the Common Council of the City of Wausau, Wisconsin will hold a regular or special meeting on the date, time and location shown below.

Meeting of the:	COMMON COUNCIL OF THE CITY OF WAUSAU
Date/Time:	Monday, August 19, 2024 at 6:00 P.M.
Location:	City Hall (407 Grant Street, Wausau WI 54403) - Council Chambers
Members:	Carol Lukens, Michael Martens, Terry Kilian, Tom Neal, Gary Gisselman, Becky McElhaney, Lisa Rasmussen, Sarah Watson, Vicki Tierney, Lou Larson, Chad Henke

Call to Order			
Pledge of Allegiance / Roll Call / Proclamations			
Public Comment: Pre-registered citizens for matters appearing on the agenda and other public comment.			
File #	CMT	Consent Agenda	ACT
24-0801	COUN	Approve Minutes of a previous meeting(s) (07/09/2024).	Place on file
24-0804	I&F	Resolution Approving Agreement for the Management and Maintenance of a Stormwater Facility (Robert W. Monk Gardens, Inc. – 1800 North 1st Avenue).	Approved 3-0
24-0805	I&F PLAN	Resolution for the Approval of Transportation Project Plat for the reconstruction of West Wausau Avenue from Stevens Drive to North 10th Avenue.	Approved 3-0 Approved 7-0
24-0806	PLAN	Ordinance to Rezone 1208 N 3rd St from Two-Flat Residential-10 (TF-10) Zoning District to Urban Mixed-Use (UMU) Zoning District.	Approved 7-0
24-0807	PLAN	Ordinance to Rezone 1210 N 3rd St from Two-Flat Residential-10 (TF-10) Zoning District to Urban Mixed-Use (UMU) Zoning District.	Approved 7-0
24-0808	PLAN	Ordinance to Rezone 1713 Burek St from Single-Family Residential-2 (SR-2) Zoning District to Single-Family Residential-5 (SR-5) Zoning District.	Approved 7-0
24-0809	I&F	Resolution Approving Developer's Agreement with STS Investments LLC, west of Birchwood Drive and west of Old Coach Road.	Approved 3-0
24-0811	I&F	Resolution Setting a public hearing regarding vacating and discontinuing certain right-of-way along East Thomas Street abutting a portion of 700 Grand Avenue and vacating a portion of right-of-way formerly known as 804-806 Grand Avenue, 810 Grand Avenue, 814 Grand Avenue and 816 Grand Avenue.	Approved 5-0
24-0812	ED	Resolution Accepting the submittal of Wangard Partners for a residential development in the Riverlife District at 15 Fulton Street and 920 N 1st Street.	Approved 4-0
File #	CMT	Resolutions and Ordinances	ACT
24-0802	MAYOR	Mayor's Appointments	Placed on file
24-0704	FIN	Reconsideration of the Resolution giving Authorization to Accept Lead Hazard Reduction Capacity Building grant through the Office of Lead Hazard Control and Health Homes through the U.S. Department of Housing and Urban Development.	Failed 1-10
24-0803	ED	Resolution for the Authorization of the American Rescue Plan Act – Beneficiary Agreement and Attestation with the Wausau Community Development Authority.	Approved 4-1
24-0810	FIN	Resolution Authorizing the Issuance and Sale of Up to \$1,048,735 Water System Revenue Bonds, Series 2024b, and Providing for Other Details and Covenants with Respect Thereto.	Approved 5-0
24-0813	PH&S HR	Joint Resolution Recommending Approval of the Proposed Restructuring of the Animal Control Program within the Wausau Police Department.	Approved 4-1 Approved 3-2
23-1109S	FIN	Resolution Approving 2024 Budget Modification – Hot Mix to Complete Additional Mill and Overlay Street Maintenance.	Approved 5-0
23-1109T	FIN	Resolution Approving 2024 Budget Modifications – General Fund Balance Transfer for the Purchase Water Meters.	Approved 5-0
Suspend Rule 6(B) Filing and 12(A) Referral of Resolutions (2/3 vote required)			
24-0108	PH&S	Resolution Approving Various Licenses as Indicated.	Pending
Public Comment & Suggestions			

Adjournment

Signed by Mayor Doug Diny

Members of the public who do not wish to appear in person may view the meeting live on live on the Internet, 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 kaitlyn.bernarde@ci.wausau.wi.us with “Common Council public comment” in the subject line prior to the meeting start.

This Notice was posted at City Hall and transmitted to the Daily Herald newsroom on 08/14/2024 @ 8:00 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) 261-6622 or ADAServices@ci.wausau.wi.us to discuss your accessibility needs. We ask your request be provided a minimum of 72 hours before the scheduled event or meeting. If a request is made less than 72 hours before the event the City of Wausau will make a good faith effort to accommodate your request.

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL

held on Tuesday, July 9, 2024, in Council Chambers, beginning at 6:30 p.m.,
Mayor Doug Diny presiding.

Roll Call

07/09/2024

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

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

07/09/2024

1. Tom Kilian, 133 E. Thomas Street – spoke in favor of reducing the PILOT payment.
2. Orlando Alfanzo, 1015 Brown Street – spoke in opposition of the Lead Hazard Reduction Capacity Building grant and the ordinance on lead service lines and in favor of reducing the PILOT payment.
3. Jon Radtke, 703 Franklin Street - spoke in opposition of the ordinance on lead service lines.
4. Sid Ehfard, 302 Bopf Street – spoke in opposition of the ordinance on lead service lines.

Consent Agenda

07/09/2024

Without objection, item 24-0714 was pulled from the agenda for consideration by the Mayor

Motion by Larson, seconded by Lukens, to adopt all the items on the Consent Agenda as follows:

24-0701 from the Common Council Approve Minutes of a previous meeting(s) (06/11/2024).

24-0703 Ordinance from the Planning Commission Rezoning 1011 N 5th St from an MRL-12, Multi-Family Residential-12 to an NMU, Neighborhood Mixed Use.

01-1024 Joint Ordinance from the Infrastructure and Facilities Committee and Plan Commission Amending annexation ordinance no. 497-01L (annexing territory from the Town of Weston to the City of Wausau - Gilbertson - Poplar Lane).

93-0918 Joint Ordinance from the Infrastructure and Facilities Committee and Plan Commission Amending annexation ordinance no. 497-93E (annexing territory from the Town of Weston to the City of Wausau – Greenwood Hills).

24-0406 Final Resolution from the Infrastructure and Facilities Committee and Plan Commission Vacating and discontinuing a portion of right-of-way south of Adams Street abutting 1010 and 1012 Everest Boulevard and 1100 Highland Park Boulevard (that portion known as N. 11th Street on plat H.B. Huntington's Addition to the City of Wausau, Document No. 167682.)

24-0711 Ordinance from the Infrastructure and Facilities Committee Designating no parking on the north side of Norton Street beginning 135 feet east of N. 1st Avenue extending to 150 east of N. 1st Avenue.

24-0712 Ordinance from the Infrastructure and Facilities Committee Designating no parking on the west side of Stettin Drive from Stewart Avenue to S. 44th Avenue and no parking on the east side of Stettin Drive beginning at the intersection of Stewart Avenue and extending 500 feet north.

24-0715 Resolution from the Infrastructure and Facilities Committee Approving Agreement for the Management and Maintenance of a Stormwater Facility (Aspirus Wausau Hospital – 333 Pine Ridge Boulevard).

24-0716 Resolution from the Infrastructure and Facilities Committee Approving State/Municipal Agreement for Transportation Alternatives Program (TAP) Project – 72nd Avenue Trail South Extension, Sunnyvale Park to Stewart Avenue.

24-0717 Resolution from the Infrastructure and Facilities Committee and Plan Commission Accepting dedication of right-of-way, accepting permanent utility easement, and accepting temporary easement for cul-de-sacs at the west end of Old Coach Road and at the west end of Birchwood Drive.

24-0108 Resolution from the Public Health & Safety Committee Approving Various Licenses as Indicated.

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

24-0714 **07/09/2024**

Motion by Henke, seconded by Watson, to adopt the Resolution from the Infrastructure and Facilities Committee Approving Agreement for the Management and Maintenance of a Stormwater Facility (Wausau School District – 1200 West Wausau Avenue).

Lukens stated concerns with microplastics and crumbed rubber used in the artificial turf at this particular site outlined in the agreement. It was stated the city maintained a strong relationship with the school district and this concern was raised to bring attention to this item of concern.

Rasmussen stated similar environmental concerns and player impacts of artificial turf. It was stated the facility is now in place and that the agreement must be approved to ensure those facilities are maintained for stormwater capacity.

Kilian stated more decisions made by the Common Council should consider environmental impact and thanked Lukens for bringing the concerns forward.

Lukens stated a desire to find a more sustainable and player friendly alternatives for the artificial turf.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	NO
10	Larson, Lou	YES
11	Henke, Chad	YES

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

24-0704 **07/09/2024**

Motion by Henke, seconded by Lukens, to adopt the Resolution from the Finance Committee Authorization to Accept Lead Hazard Reduction Capacity Building grant through the Office of Lead Hazard Control and Health Homes through the U.S. Department of Housing and Urban Development.

Kilian stated the upfront amount of levy needed to support this program with an unknowing funding source and that the Economic Development Department did not have the staff capacity to support the program as well.

Martens stated the program was meant to identify lead in homes but did not provide funding for, or the ability to remediate, lead within homes.

Lukens stated opposition based on staff recommendations and statements provided by other alders.

Tierney stated opposition based on the capacity of the program to identify lead but not remediate it from homes.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	NO
3	Kilian, Terry	NO
4	Neal, Tom	YES
5	Gisselman, Gary	NO
6	McElhaney, Becky	NO
7	Rasmussen, Lisa	NO
8	Watson, Sarah	NO
9	Tierney, Vicki	NO
10	Larson, Lou	NO
11	Henke, Chad	NO

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

24-0710

07/09/2024

Motion by Lukens, seconded by Henke, to adopt the Resolution from the Economic Development Committee Approving Sale of 1210 N. 3rd Street by the City of Wausau to DNA Taverns, LLC.

Gisselman stated the anticipated use for the lot would be for additional parking and stated the neighborhood and a nearby park should be considered in approving the sale.

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

Suspend the Rules

07/09/2024

Motion by Larson, second by Henke, to suspend Rule 6(B) Filing and 12(A) Referral of Resolutions for 24-0705, 24-0706, 24-0707, 24-0708, 24-0709, 92-0623.

Rasmussen made a parliamentary inquiry on if the rules are suspended, does that suspension mean automatic consideration of item 24-0718. It was stated if the motion to suspend the rules was passed, it would include the remainder of the agenda items for consideration.

Without objection, the Chair pulled item 24-0718 to be considered under the suspension of the rules separately and only items 24-0705, 24-0706, 24-0707, 24-0708, 24-0709, 92-0623 would be considered under the suspension of the rules at this time.

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

24-0705

07/09/2024

Motion by Watson, seconded by Larson, to adopt the Ordinance from the Wausau Water Works Commission Creating Chapter 13.66 Lead and galvanized water service line replacement, Section 13.66.010 Intent and purpose, Section 13.66.020 Authorization, Section 13.66.030 Rules of construction and definitions, Section 13.66.040 Survey and inspections, Section 13.66.050 Partial or full service line material replacement; public side or customer side, Section 13.66.060 Replacement priority, Section 13.66.070 Application and Scheduling, Section 13.66.080 Financing of replacement, Section 13.66.09 as amended.

Kilian stated constituents had reached out with concerns on public notice and lack of public input. It was stated the main concern with citizens is how the ordinance impacted them and if they would need to pay out of pocket for the cost of lead line replacements. Kilian stated a preference for tabling the ordinance until adequate notice can be given to the public and with more opportunity for public comment in multiple languages.

Rasmussen questioned if the scaling up of the line replacement program would come as funds are available through grants and that if grant funding was not available the cost would not be passed down to individual residents. It was stated the funding is determined upon on a year-by-year basis. Rasmussen stated concerns with not being able to leverage grant funding if there was no ordinance mandating lead line replacements on the public and private side and enforcement pieces for homeowners. It was further stated a goal to scale up the project as grant funding is made available and scale down as grant money is not accessible.

Motion by Rasmussen, seconded by Larson, to amend 24-0705 to add the clause, "Mandated lead service line replacement will only proceed as grant monies are available to fully fund the private side obligation for the full lead service line replacement and all related construction for the property owner."

McElhaney questioned if the grant funding would include driveway and landscaping work as part of the replacements. It was stated this was intended to include property restorations. *Without objection*, a friendly amendment was offered by McElhaney to specify all related construction.

Tierney stated an understanding of the amendment was to use the available grant money to ensure the private lead lines would be replaced without charging the residents. It was stated this was how this solution was presented to the public along with opportunities for public input.

Neal questioned if the amendment should make it clearer that the program would be fully funded for residents. It was questioned if there should be limits to what property restorations are covered. It was stated the disturbance to property is minimum and a limit to restoration costs would not be necessary. *Without objection*, a friendly amendment was offered by Neal to include fully funded.

Lukens stated support for the amendment and questioned if this amendment would be compatible with regulations of the Wisconsin Public Service Commission. It was stated that was only applicable if the utility funded private lead line replacement. Lukens stated this work would only cover lead lines and not the pipes inside homes.

Gisselman questioned the process of developing this ordinance without more public input and stated support for protecting citizens as much as possible while ensuring all citizens are made aware of the ordinance.

Kilian stated the amendment was a positive effort to protect the residents of the city. Kilian also stated the ordinance should not move forward until formal citizen input was provided.

McElhaney stated uncomfortableness with the ordinance without more clarification among the regulating agencies. It was stated that if grant money requires an ordinance it presents an unknown that can not be supported.

Rasmussen stated the goal is protecting residents against bearing the burden of paying for lead line replacement and restoration.

Kilian stated there was a concern with this moving forward until there was public input sessions as they felt the city ordinance would leave citizens without a choice.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	NO
10	Larson, Lou	YES
11	Henke, Chad	YES

Yes Votes: 10

No Votes: 1

Abstain: 0

Not Voting: 0

Result: PASSED

Watson questioned if a joint meeting with the Wausau Water Works Commission would be appropriate and asked to get a more layman's understanding of the ordinance and its impact ahead of future meetings out to the public.

Gisselman stated a preference of a Committee of the Whole to discuss this matter more thoroughly.

Watson requested the ordinance be sent to the regulating agencies for their input.

Lukens requested information be provided to the public on this ordinance in multiple languages.

Motion by Gisselman, seconded by Neal, to postpone consideration of the item 24-0705 to the August Common Council meeting.

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

24-0706 **07/09/2024**

Motion by Lukens, seconded by Rasmussen, to adopt the Resolution from the Finance Committee Approving Interlocal Agreement between the City of Wausau and Marathon County for the 2022 Byrne Justice Assistance Grant Program Award.

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

24-0707 **07/09/2024**

Motion by Lukens, seconded by Watson, to adopt the Resolution from the Finance Committee Approving Interlocal Agreement between the City of Wausau and Marathon County for the 2023 Byrne Justice Assistance Grant Program Award.

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

24-0708 **07/09/2024**

Motion by Lukens, seconded by Tierney, to adopt the Resolution from the Finance Committee Authorizing the City of Wausau to enter a 3-year (2024-2027) shared services agreement with the Wausau School District for School Resource Officers.

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

24-0709 **07/09/2024**

Motion by Rasmussen, seconded by Larson, to adopt the Resolution from the Finance Committee Approving United Way impact grant funding for assisting the unhoused with security deposits.

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

92-0623 **07/09/2024**

Motion by Larson, seconded by Tierney, to adopt the Resolution from the Finance Committee Approving First Amendment to Agreement for Lease to City of Parking Lot-Third and McClellan Streets (Curly Kale LLC).

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

Suspend the Rules **07/09/2024**

Motion to consider the motion to take up 24-0718 objected by Rasmussen.

Rasmussen stated opposition to this resolution for consideration as it was not brought forward to a standing committee for consideration. It was stated the city's financial planner is going to conduct a meeting with the Finance Committee on the PILOT payment and this resolution is premature. Rasmussen stated the Mayor can propose a budget to the Common Council without direction from the Common Council at the forefront as this resolution does. It was stated the process was not the process of the city.

Point of Order by Watson on debating the suspension of the rules. *Point of Order not well taken by the Chair* as this was on the objection to take up the resolution and not the vote on suspension of the rules. The Chair stated this resolution was meant to provide guidance to the Mayor and President of the Wausau Water Works Commission to move forward.

Point of Order by Neal on why the vote to suspend the rules was not taken up. *Point of Order not well taken by the Chair* as this was on the objection but it was recommended that the vote to suspend the rules should be taken up.

Motion by Larson, seconded by Tierney, to Suspend Rule 6(B) Filing and 12(A) Referral of Resolutions for 24-0718.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	NO
3	Kilian, Terry	YES
4	Neal, Tom	NO
5	Gisselman, Gary	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	NO
8	Watson, Sarah	YES
9	Tierney, Vicki	YES
10	Larson, Lou	YES
11	Henke, Chad	NO

Yes Votes: 5

No Votes: 6

Abstain: 0

Not Voting: 0

Result: FAILED

Public Comment & Suggestions

07/09/2024

1. Jay Kronenwetter, 310 Sturgeon Eddy Road – spoke on the Wausau School District Citizens Task Force on Elementary School Redistricting
2. Tom Kilian, 133 E. Thomas Street – spoke on low/moderate income linguistic rates, Wyatt Street environmental testing impact on federal funding, the Hmong language meeting the safe harbor threshold for Metro Ride Title XI analysis, lack of translation services, and the Liberation and Freedom Committee.

Adjourn

07/09/2024

Motion by Lukens, second by Henke, to adjourn the meeting. Motion carried. Meeting adjourned at 8:45 p.m.

Doug Diny, Mayor
Kaitlyn Bernarde, City Clerk

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

**RESOLUTION OF THE
INFRASTRUCTURE AND FACILITIES COMMITTEE**

Approving Agreement for the Management and Maintenance of a Stormwater Facility (Robert W. Monk Gardens, Inc. – 1800 North 1st Avenue).

Committee Action: Approved 3-0

Fiscal Impact: None

File Number: 24-0804

Date Introduced: August 19, 2024

FISCAL IMPACT SUMMARY

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

RESOLUTION

WHEREAS, your Infrastructure and Facilities Committee met on June 13, 2024 to review the agreement and recommends approval of an Agreement for the Management and Maintenance of a Stormwater Facility for Robert W. Monk Gardens, Inc., for stormwater facilities on their property at 1800 North 1st Avenue; now therefore

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

Approved:

Doug Diny, Mayor

AGREEMENT FOR THE MANAGEMENT AND
MAINTENANCE OF A STORMWATER FACILITY

THIS AGREEMENT made this 24th day of April, 2024, by and between the City of Wausau, a municipal corporation of the State of Wisconsin, hereinafter referred to as "CITY", and Robert W. Monk Gardens Inc., a corporation organized under the laws of the State of Wisconsin, hereinafter referred to as "OWNER";

WITNESSETH:

WHEREAS, CITY has an interest in and an obligation for the development, management, and maintenance of stormwater facilities within the corporate limits of the City of Wausau, which interest and obligation is evidenced in CITY's stormwater management ordinance and in this agreement which is being entered into pursuant to that ordinance; and

WHEREAS, OWNER wishes to construct certain buildings on land in the City of Wausau, and as an inducement for CITY to grant to OWNER a permit to construct these improvements, OWNER wishes to enter into this agreement for the management and maintenance of a stormwater facility; and

WHEREAS, the specific provision of the Wausau Municipal Code which provides for stormwater management is Chapter 15.56 of the Wausau Municipal Code, which code provides for the routine and extraordinary post construction maintenance of a stormwater management facility, and such a facility is being herein installed for the use and benefit of the development of OWNER's property, and this agreement will specifically provide for the management and maintenance of that stormwater facility.

NOW, THEREFORE, the parties hereto agree as follows:

1. That attached hereto, and incorporated herein by reference, is "Exhibit A," a map upon which there is located certain improvements and storm water facilities, which are the subject of this agreement.
2. OWNER specifically agrees to maintain the storm water facilities in accordance with the schedules and procedures set forth in "Exhibit B" attached hereto and incorporated herein by reference.
3. OWNER specifically grants CITY access to, from and across the property encompassed in "Exhibit A" in order to evaluate and inspect the pond and, in addition to the detention pond, any other stormwater facilities, which evaluation and inspection will, from time to time, be necessary in order to ascertain that the practices concerning management and maintenance are being followed pursuant to CITY's stormwater management ordinances; CITY shall maintain, as a public record, the results of all site inspections, and shall recommend any corrective actions required to bring the stormwater management practices into proper operating condition.
4. Upon notification to OWNER that maintenance deficiencies exist on property, any corrective actions shall be undertaken by OWNER within a time frame as set forth by CITY, which time frame will be reasonable; should OWNER not satisfactorily complete any directives of CITY, as identified in any inspection report or directive, within the time frame provided by CITY, then the parties agree that CITY shall complete any corrective actions and the cost of those actions, including any administrative charges, shall be paid in full by OWNER or, in lieu thereof, shall be placed as a special assessment on the tax rolls of all of the property described on "Exhibit A" pursuant to Wisconsin Statutes.

Recording Area

Name and Return Address

City of Wausau Engineering Dept.
407 Grant Street
Wausau, WI 54403

PIN:

5. This agreement is being entered into pursuant to the provisions of Chapter 15.56 of the city ordinances of the City of Wausau, and the parties agree that OWNER will be bound by these provisions or any future amendments to these provisions or any separate provisions relating to stormwater management.
6. These covenants, agreements, and obligations provided for in this agreement shall travel with the land and be binding upon OWNER, its successors and assigns in perpetuity.

OWNER: Robert W. Monk Gardens Inc.

By: Darcie E. Howard
Darcie E. Howard

By: _____

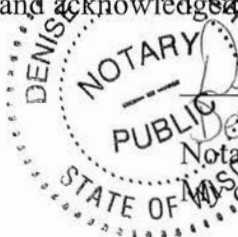
CITY OF WAUSAU:

By: _____
Doug Diny, Mayor

By: _____
Kaitlyn Bernarde, Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this 24th day of April, 2024, the above-named Darcie E. Howard and _____ of Robert W. Monk Gardens Inc, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

 Denise R. Krueger
Notary Public, Wisconsin
My commission: Oct 16, 2024

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this _____ day of _____, 20____, the above-named Doug Diny, Mayor, and Kaitlyn Bernarde, 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: _____



PHASE 1
800 NORTH 1ST AVE
WAUSAU, WI 54401

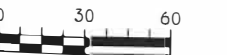
W N E R
MONK BOTANICAL GARDENS
18 SOUTH 7TH AVE
LAUSAN, WY 84401
715.261.6264

DESIGN-BUILD CONTRACTOR
INDORFF
6850 HARRIER AVE
LAUSAN, WI 54401
715.803.2222

STRUCTURAL ENGINEER
MERCE ENGINEERS
11 NORTH BROADWAY
LYMAUKEE, WI 53202
414.243.8060

CIVIL ENGINEER
ELECTRICAL ENGINEERING
100 NORTH 20TH AVE
MILWAUKEE, WI 53401
414.734.7745

NDSCAPE ARCHITECT
Smith
SOUTH 2ND STREET, SUITE 100
WAUKEE, VM 53204-1412
62.781.1000



MIT SET 03.12.2024

March 11, 2024

PROJECT NUMBER 44A

ET TITLE

NM EXHIBIT A

ET NUMBER

WME

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ECTS, INC. ALL RIGHTS RESERVED

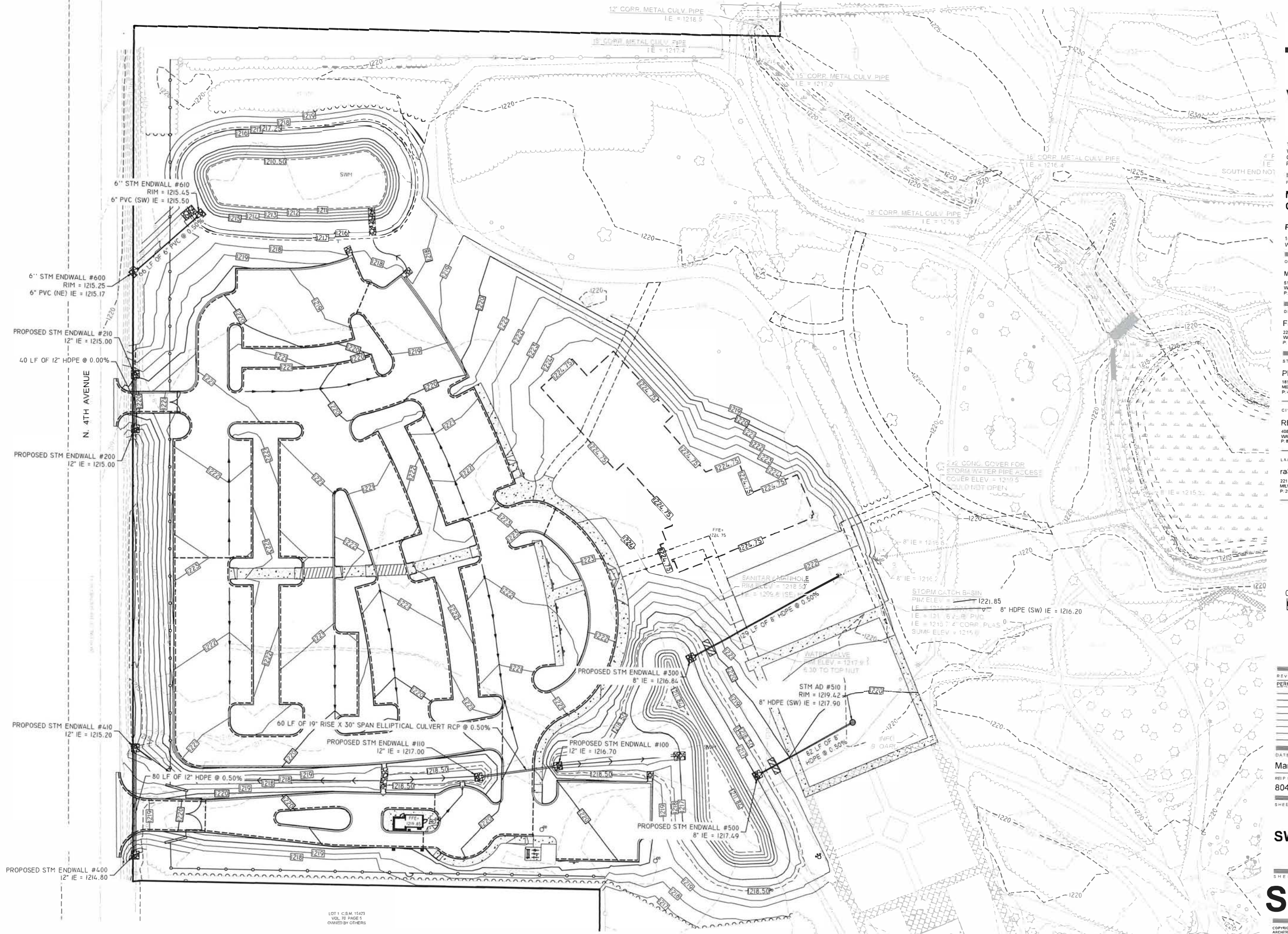


Exhibit B

Stormwater Management Facilities Maintenance Schedule & Procedures

For

Monk Botanical Gardens - Ticket Building

1800 N. 1st Ave

City of Wausau

Marathon County, WI

Property Legal Description:

Of Lot 1 and Outlot 1 of Certified Survey Map Number 8510 recorded in Volume 38 of Certified Survey Maps on Page 133 being part of the Southwest 1/4 of the Southeast 1/4, of Lot 1 of Certified Survey Map Number 8457 recorded in Volume 33 of Certified Survey Maps on Page 25 being part of the Southwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4, and part of the Southwest 1/4 of the Southeast 1/4 of Section 14 located with in the City of Wausau and of Lots 8, 9, 10, 11, 12 and 13 of North Hills 2nd Addition being part of the Northwest 1/4 of the Southeast 1/4 and part of the Southwest 1/4 of the Southeast 1/4 of Section 14 located in the village of Maine all in Township 29 North, Range 7 East, Marathon County, Wisconsin.

Responsible Party:

Monk Botanical Gardens

The Owner, their successors, and assigns, shall inspect and maintain the structural and non-structural measures that function to facilitate compliance with stormwater management

Maintenance Schedule and Procedures:

Maintenance inspections by the Owner shall take place at a minimum of twice per year, following Owner's acceptance of the Project from the Site Contractor. Owner shall maintain a written inspection and maintenance log.

Maintenance and inspection shall be performed as follows:

- 1) **DEBRIS:** Removal of trash, debris, and noxious weeds should be done on a regular basis to maintain aesthetics and functionality of the bioretention ponds, the ponds' outlet structures, storm sewer, and riprap on the site.
- 2) **STORM AND OUTLET STRUCTURES:** Remove accumulated sediment and/or debris from the outlet structures of the ponds and storm sewer pipe.
- 3) **RIPRAP:** Inspect riprap and replace as may be needed to maintain integrity and a clean appearance of riprap.
- 4) **MOWING:** Seasonally mow pond side slopes and embankments to promote aesthetics and control weed growth.
- 5) **BIORETENTION PLANTING TREATMENTS:** Replacement of dead plant life with new plant plugs of a mesic or wet prairie type designation per the WDNR approved plant list should be done as necessary to help maintain infiltration rates as the roots will assist with this.

- 6) BIORETENTION ENGINEERED SOIL MIX: Following rainfall events, verify the ability for the bioretention pond to drain. If standing surface water is regularly present within the facility following 48 hours of dry weather, the engineered soil mix may need to be loosened or replaced to restore the infiltration rate. Plantings within the bioretention pond may be salvaged and replanted if work is done during spring or fall. Re-planting of native vegetation may be needed to fully restore.
- 7) SNOW PLOWING: Do not plow snow into the bioretention ponds as this will cause premature failure of the infiltration devices.

INFRASTRUCTURE AND FACILITIES COMMITTEE

Date of Meeting: June 13, 2024, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Chad Henke, Lou Larson, Michael Martens, Tom Neal (Sarah Watson was excused)

Also Present: Mayor Diny, Eric Lindman, Allen Wesolowski, TJ Niksich, Tara Alfonso, Andrew Lynch, Dustin Kraege, Vicki Tierney, Lori Wunsch

CONSENT AGENDA

A. Approve minutes of the May 9, 2024 meeting

B. Action on Stormwater Maintenance Agreement with Robert W. Monk Gardens at 1800 N. 1st Avenue

C. Action on Stormwater Maintenance Agreement with Aspirus Wausau Hospital at 333 Pine Ridge Boulevard

D. Action on Stormwater Maintenance Agreement with Wausau School District at 1200 West Wausau Avenue

A request was received to remove Item B from the consent agenda. Neal moved to approve consent agenda Items A, C, and D. Martens seconded and the motion passed 4-0.

Larson suggested tabling Item B with all the drama within the community. He recently read some positive things the last couple of days but feels entering into an agreement with Monk Gardens at this time would not be appropriate. He feels we should wait until someone from the Board or family or both are here. He does not want to get the City into a mess we do not need to be in. He suggested tabling this item until the dust settles.

Neal agrees. The plan for the parking lot area has run into considerable push back from the neighbors and lovers of the gardens as there is significant incursion into the footprint of the existing park that would result in the loss of vegetation and trees. He does not know if approving this means giving a stamp of approval to move ahead. He feels it would be good to have input from stakeholders.

Martens asked if approval of the agreement would have any effect or implication on the construction of the parking lot. Niksich said they could move ahead with construction without the agreement. This is more for post-construction and best management practices to build the ponds and storm sewer. This is just an agreement stating that they will maintain those per the plans. Niksich does not know that holding up the agreement is the correct avenue to slow or stop the construction. This is to make sure they maintain construction of their stormwater management practices. Because this is a management plan, Martens asked if the plan is dependent upon a fixed idea of what their retention pond is going to be. Martens asked if we would have to renegotiate the plan if there is substantial change to the design of the parking area or could the maintenance agreement continue as is. Niksich explained that amendments happen during construction and it does not affect the authority of the management plan. The agreement is to make sure they adhere to their stormwater management plan. That plan, which is required by our Municipal Code, is to remove 80% of total suspended solids and to limit the volume of discharge. This agreement is to make sure they follow those regulations.

Henke has heard that this project may be delayed and asked if anyone has reached out. Niksich has not heard from anyone regarding a delay.

Larson moved to table this item until we hear from stakeholders. Since Neal does not feel this is time sensitive, Neal seconded the motion. Motion approved 3-1 with Martens the dissenting vote.

INFRASTRUCTURE AND FACILITIES COMMITTEE

Date of Meeting: July 11, 2024, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Chad Henke, Tom Neal, Sarah Watson (Lou Larson and Michael Martens were excused.)

Also Present: Eric Lindman, TJ Niksich, Tara Alfonso, Jillian Kurtzhals, Dustin Kraege, Lori Wunsch

Discussion and possible action on Stormwater Maintenance Agreement with Robert W. Monk Gardens at 1800 North 1st Avenue

Niksich explained that this item was brought back from last month. This is a typical maintenance agreement for any stormwater improvements for developments. The project is under construction.

Paul Whitaker appeared as Secretary of the Board of Directors for Monk Botanical Gardens and chair of the capital project that is underway. He indicated the stormwater detention ponds were dictated by the size of the parking lot by DNR stormwater regulations. This is for routine maintenance of those detention ponds.

Neal moved to approve. Seconded by Watson.

Henke had read that the project was not moving forward, which is why this was delayed a month. He has driven by multiple times and construction is clearly underway.

There being a motion and a second, motion to approve passed 3-0.

Agenda Item No.

2

***STAFF REPORT TO INFRASTRUCTURE & FACILITIES
COMMITTEE – July 11, 2024***

AGENDA ITEM

Discussion and possible action on Stormwater Maintenance Agreement with Robert W. Monk Gardens at 1800 North 1st Avenue

BACKGROUND

Monk Botanical Gardens is proposing improvements to the property located at 1901 N. 4th Avenue. This project will include a new parking lot, landscaped areas, and stormwater management facilities. The stormwater will be managed by the addition of two new wet retention ponds.

To ensure properly functioning post-stormwater facilities year after year, the City requires the owner to sign a maintenance agreement, making the owner inspect and maintain the facilities on a biennial basis. The maintenance agreement is attached for your review.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Staff recommends approval of the stormwater maintenance agreement.

Staff contact: TJ Niksich 715-261-6748

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

**JOINT RESOLUTION OF THE INFRASTRUCTURE AND
FACILITIES COMMITTEE AND PLAN COMMISSION**

Approval of Transportation Project Plat for the reconstruction of West Wausau Avenue from Stevens Drive to North 10th Avenue.

Committee Action: I&F: 3-0; Plan: 7-0

Fiscal Impact: The cost of the real estate consultant is approximately \$50,000. The cost of the Temporary Limited Easements will be determined by the consultant.

File Number: 24-0805

Date Introduced: August 19, 2024

FISCAL IMPACT SUMMARY

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

RESOLUTION

WHEREAS, West Wausau Avenue from Stevens Drive to North 10th Avenue is an urban cross section that serves the west side of Wausau and serves as the primary entrance for Wausau West High School; and

WHEREAS, a State/Municipal Agreement for the reconstruction of this section of West Wausau Avenue was approved in January of 2023; and

WHEREAS, EMCS has prepared a Transportation Project Plat in accordance with the approved design layout; and

WHEREAS, your Infrastructure and Facilities Committee discussed the Transportation Project Plat for West Wausau Avenue from Stevens Drive to North 10th Avenue at its meeting on July 11, 2024 and recommends approval; and

WHEREAS, your Plan Commission discussed the Transportation Project Plat for West Wausau Avenue from Stevens Drive to North 10th Avenue at its meeting on July 16, 2024 and recommends approval; now therefore

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

1. That the City of Wausau hereby determines it is necessary for public corner improvements, drainage, grading, and to that end it is necessary and a public purpose to acquire fee simple title or easements to the property interests in question, either by donation or acquisition.
2. That to properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the street designated on the Transportation Project Plat attached, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the Transportation Project Plat for the above project; that to effect this change, pursuant to authority granted under Section 32.05 and 32.07 of the Wisconsin Statutes, the Common Council of the City of Wausau orders that:
 - a. The said streets are laid out and established to the lines and widths as shown on the Transportation Project Plat.
 - b. The required lands or interests in lands as shown on the Transportation Project Plat and described on plat sheet numbers 4.1 through 4.5 shall be acquired by eminent domain if necessary; and
3. That the City Clerk is hereby directed to file a copy of this Transportation Project Plat with the County Clerk of Marathon County.

Approved:

Doug Diny, Mayor

CONVENTIONAL SYMBOLS			
SECTION LINE		SECTION CORNER SYMBOL	
QUARTER LINE		R/W MONUMENT (TO BE SET)	
SIXTEENTH LINE		NON-MONUMENTED R/W POINT	
NEW REFERENCE LINE		FOUND IRON PIN (1-INCH UNLESS NOTED)	
NEW R/W LINE		GEODETIC SURVEY MONUMENT	
EXISTING R/W OR HE LINE		SIXTEENTH CORNER MONUMENT	
PROPERTY LINE		SIGN	
LOT, TIE & OTHER MINOR LINES		OFF-PREMISE SIGN	
SLOPE INTERCEPT		COMPENSABLE	
CORPORATE LIMITS		NON-COMPENSABLE	
UNDERGROUND FACILITY (COMMUNICATIONS, ELECTRIC, ETC)		ELECTRIC POLE	
NEW R/W (FEE OR HE) (HATCHING VARIES BY OWNER)		TELEPHONE POLE	
TEMPORARY LIMITED EASEMENT AREA		PEDESTAL (LABEL TYPE) (TV, TEL, ELEC, ETC.)	
EASEMENT AREA (PERMANENT LIMITED OR RESTRICTED DEVELOPMENT)		ACCESS RESTRICTED BY ACQUISITION	
TRANSMISSION STRUCTURES		NO ACCESS (BY STATUTORY AUTHORITY)	
BUILDING TO BE REMOVED		ACCESS RESTRICTED (BY PREVIOUS PROJECT OR CONTROL)	
BRIDGE		NO ACCESS (NEW HIGHWAY)	
CULVERT		PARCEL NUMBER 25	UTILITY NUMBER 40
		PARALLEL OFFSETS	

CONVENTIONAL UTILITY SYMBOLS

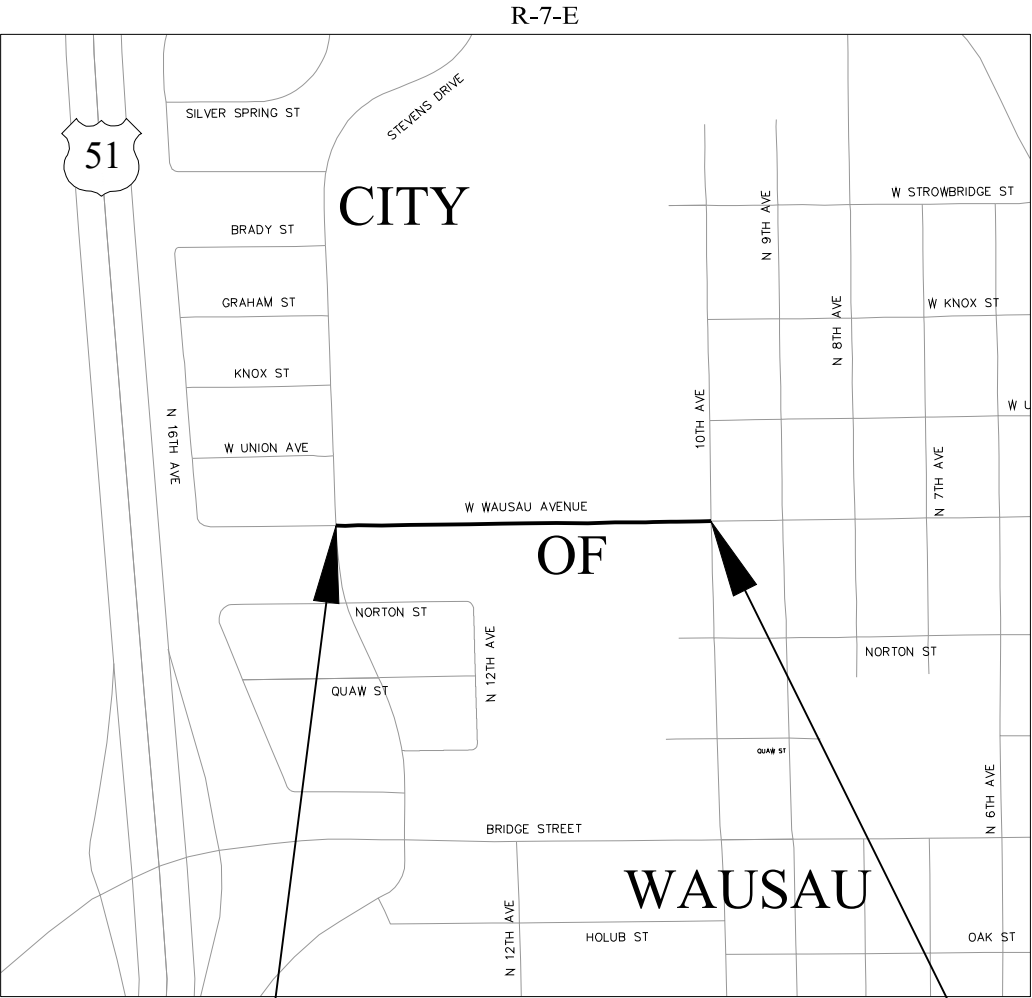
WATER	—W—
GAS	—G—
TELEPHONE	—T—
OVERHEAD TRANSMISSION LINES	—OH—
ELECTRIC	—E—
CABLE TELEVISION	—TV—
FIBER OPTIC	—FO—
SANITARY SEWER	—SAN—
STORM SEWER	—SS—
ELECTRIC TOWER	

CONVENTIONAL ABBREVIATIONS

ACCESS RIGHTS	AR	POINT OF COMPOUND CURVE	PCC
ACRES	AC	POINT OF INTERSECTION	PI
AHEAD	AH	PROPERTY LINE	PL
ALUMINUM	ALUM	RECORDED AS (100')	(100')
AND OTHERS	ET AL	REEL / IMAGE	R/I
BACK	BK	REFERENCE LINE	R/L
BLOCK	BLK	REMAINING	REM
CENTERLINE	C/L	RESTRICTIVE DEVELOPMENT	RDE
CERTIFIED SURVEY MAP	CSM	EASEMENT	
CONCRETE	CONC	RIGHT	RT
COUNTY	CO	RIGHT OF WAY	R/W
COUNTY TRUNK HIGHWAY	CTH	SECTION	SEC
DISTANCE	DIST	SEPTIC VENT	SEPV
CORNER	COR	SQUARE FEET	SF
DOCUMENT NUMBER	DOC	STATE TRUNK HIGHWAY	STH
EASEMENT	EASE	STATION	STA
EXISTING	EX	TELEPHONE PEDESTAL	TP
GAS VALVE	GV	TEMPORARY LIMITED	TLE
GRID NORTH	GN	EASEMENT	
HIGHWAY EASEMENT	HE	TRANSPORTATION PROJECT PLAT	TPP
IDENTIFICATION	ID	UNITED STATES HIGHWAY	USH
LAND CONTRACT	LC	VOLUME	V
LEFT	LT		
MONUMENT	MON		
NATIONAL GEODETIC SURVEY	NGS		
NUMBER	NO		
OUTLOT	OL		
PAGE	P		
POINT OF TANGENCY	PT		
PERMANENT LIMITED EASEMENT	PLE		
POINT OF BEGINNING	POB		
POINT OF CURVATURE	PC		

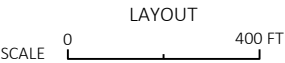
CURVE DATA ABBREVIATIONS

LONG CHORD	LCH
LONG CHORD BEARING	LCB
RADIUS	R
DEGREE OF CURVE	D
CENTRAL ANGLE	Δ/DELTA
LENGTH OF CURVE	L
TANGENT	T
DIRECTION AHEAD	DA
DIRECTION BACK	DB



BEGIN RELOCATION ORDER
PROJECT I.D. 6999-00-16
STA 6+41.73
Y= 207,129.06
X= 275,224.01
1968.26 FEET N 89°09'48" E OF
THE S1/4 CORNER OF SEC. 22
T-29-N, R-07-E.

END RELOCATION ORDER
PROJECT I.D. 6999-00-16
STA 21+31.73
Y= 207,147.43
X= 276,713.90
1761.93 FEET S 89°10'16" W OF
THE S1/4 CORNER OF SEC. 23,
T-29-N, R-07-E.



TOTAL NET LENGTH OF CENTERLINE = 282

THIS PLAT IS A GRAPHIC REPRESENTATION AND IS FOR REFERENCE PURPOSES ONLY. DEEDS MUST BE CHECKED TO DETERMINE PROPERTY BOUNDARIES AND ACCESS RIGHTS.

R/W PROJECT NUMBER 6999-00-16	SHEET NUMBER 4.1	TOTAL SHEETS 5
PLAT OF RIGHT OF WAY REQUIRED FOR C WAUSAU, WEST WAUSAU AVENUE STEVENS DRIVE TO NORTH 10TH AVENUE		
WEST WAUSAU AVENUE, LOC STR		CITY OF WAUSAU
CONSTRUCTION PROJECT NUMBER 6999-00-76		



NOTES:

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), MARATHON COUNTY, NAD83 (2011) IN US SURVEY FEET. VALUES SHOWN ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 3/4" X 24" IRON REBARS), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

DIMENSIONING FOR THE NEW RIGHT-OF-WAY IS MEASURED ALONG AND PERPENDICULAR TO THE NEW REFERENCE LINES.

RIGHT-OF-WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY SYSTEM OR OTHER "SURVEYS" OF PUBLIC RECORD.

FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE CITY OF WAUSAU

PARCEL AND UTILITY IDENTIFICATION NUMBERS MAY NOT POINT TO ALL AREAS OF ACQUISITION, AS NOTED ON THE DETAIL PAGES.

INFORMATION FOR THE BASIS OF EXISTING HIGHWAY RIGHT-OF-WAY POINTS OF REFERENCE AND ACCESS CONTROL ARE LISTED ON THE DETAIL PAGES.

A TEMPORARY LIMITED EASEMENT (TLE) IS A RIGHT FOR CONSTRUCTION PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON, THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE. ALL (TLEs) ON THIS PLAT EXPIRE AT THE COMPLETION OF THE CONSTRUCTION PROJECT FOR WHICH THIS INSTRUMENT IS GIVEN.



DATE: _____ KEVIN C. BOYER, PLS-2675

APPROVED FOR
CITY OF WAUSAU

DATE: _____ DIRECTOR

DATE: _____ DOUG DINY, MAYOR

REVISION DATE

SCHEDULE OF LANDS & INTERESTS REQUIRED

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

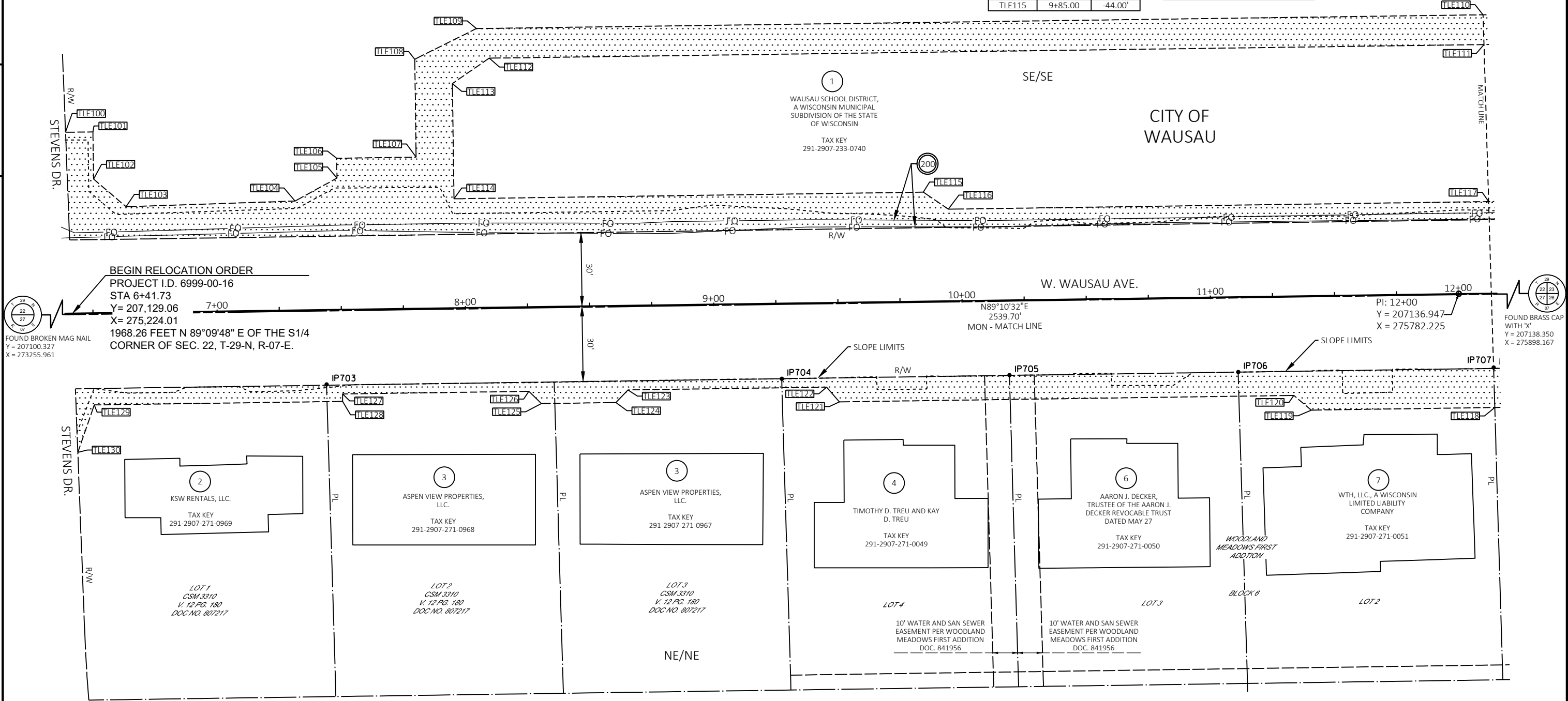
PARCEL NUMBER	SHEET NUMBER	OWNERS	INTERESTS REQUIRED	R/W SF REQUIRED				TLE S.F.
				NEW	EXISTING	TOTAL	TOTAL REMAINING	
1	4.3, 4.4, & 4.5	WAUSAU SCHOOL DISTRICT, A WISCOSNIN MUNICIPAL SUBDIVISION OF THE STATE OF WISCONSIN	TLE	---	---	---	---	36370
2	4.3	KSW RENTALS, LLC.	TLE	---	---	---	---	738
3	4.3	ASPEN VIEW PROPERTIES, LLC.	TLE	---	---	---	---	860
4	4.3	TIMOTHY D. TREU AND KAY D. TREU	TLE	---	---	---	---	764
6	4.3	AARON J. DECKER, TRUSTEE OF THE AARON J. DECKER REVOCABLE TRUST DATED MAY 27	TLE	---	---	---	---	894
7	4.3	WTH, LLC., A WISCONSIN LIMITED LIABILITY COMPANY	TLE	---	---	---	---	1464
8	4.4	WTH, MS, LLC., A WISCONSIN LIMITED LIABILITY COMPANY	TLE	---	---	---	---	1176
9	4.4, & 4.5	NEWMAN CATHOLIC SCHOOLS, INC.	TLE	---	---	---	---	1184
11	4.5	VICTORIA P. BALLARD	TLE	---	---	---	---	1043
12	4.5	GINGER L. MCDONALD	TLE	---	---	---	---	314
200	4.3, 4.4, & 4.5	TDS METROCOM, LLC (COMMUNICATION)	RELEASE OF RIGHTS					
201	4.3	WAUSAU WATER WORKS (WATER)	RELEASE OF RIGHTS					
202	4.3, & 4.4	WAUSAU WATER WORKS (SANITARY SEWER)	RELEASE OF RIGHTS					
203	4.5	WISCONSIN PUBLIC SERVICE CORPORATION (GAS)	RELEASE OF RIGHTS					
204	4.5	CITY COUNTY IT COMMISSION (COMMUNICATION)	RELEASE OF RIGHTS					
205	4.5	CHARTER COMMUNICATIONS (COMMUNICATION)	RELEASE OF RIGHTS					

- 200 TDS METROCOM, LLC (COMMUNICATION)
NO RECORD OF EASEMENT - PAR. 1
- 201 WAUSAU WATER WORKS (WATER)
DOC. 841956 - PAR. 4, 6
- 202 WAUSAU WATER WORKS (SANITARY SEWER)
DOC. 841956 - PAR. 4, 6

EXISTING MONUMENTS			
POINT	Y (NORTHING)	X (EASTING)	DESCRIPTION
IP703	207100.382	275326.338	1" O.D. IRON PIPE
IP704	207102.687	275509.608	1" O.D. IRON PIPE
IP705	207104.112	275601.291	1" O.D. IRON PIPE
IP706	207105.422	275693.436	1" O.D. IRON PIPE
IP707	207107.201	275796.275	1" O.D. IRON PIPE

TLE STATION & OFFSET TABLE		
POINT NO.	STATION	OFFSET
TLE100	6+39.96	-73.00'
TLE101	6+50.99	-73.00'
TLE102	6+50.99	-54.00'
TLE103	6+63.93	-42.66'
TLE104	7+32.00	-44.00'
TLE105	7+49.00	-53.00'
TLE106	7+49.00	-61.00'
TLE107	7+81.00	-61.00'
TLE108	7+81.00	-100.46'
TLE109	8+05.98	-112.45'
TLE110	12+11.09	-112.32'
TLE111	12+11.31	-100.32'
TLE112	8+11.00	-100.44'
TLE113	7+96.00	-90.45'
TLE114	7+96.00	-44.00'
TLE115	9+85.00	-44.00'

TLE116	9+95.00	-37.00'
TLE117	12+12.48	-37.04'
TLE118	12+14.01	45.96'
TLE119	11+40.00	46.00'
TLE120	11+33.04	40.00'
TLE121	9+50.00	40.00'
TLE122	9+45.00	34.00'
TLE123	8+65.00	34.00'
TLE124	8+60.00	39.00'
TLE125	8+30.00	39.00'
TLE126	8+25.00	34.00'
TLE127	7+50.00	34.00'
TLE128	7+50.00	37.00'
TLE129	6+50.00	37.00'
TLE130	6+43.08	55.99'



REVISION DATE	DATE	SCALE, FEET	HWY: WEST WAUSAU AVENUE	STATE R/W PROJECT NUMBER 6999-00-16	PLAT SHEET 4.3	
	GRID FACTOR 1.0000000		COUNTY: MARATHON	CONSTRUCTION PROJECT NUMBER 6999-00-76	PS&E SHEET	E

- 200

TDS METROCOM, LLC (COMMUNICATION)
NO RECORD OF EASEMENT - PAR. 1
DOC. 1779632 - PAR. 1
- 203

WISCONSIN PUBLIC SERVICE CORPORATION (GAS)
NO RECORD OF EASEMENT - PAR. 9, 12
- 204

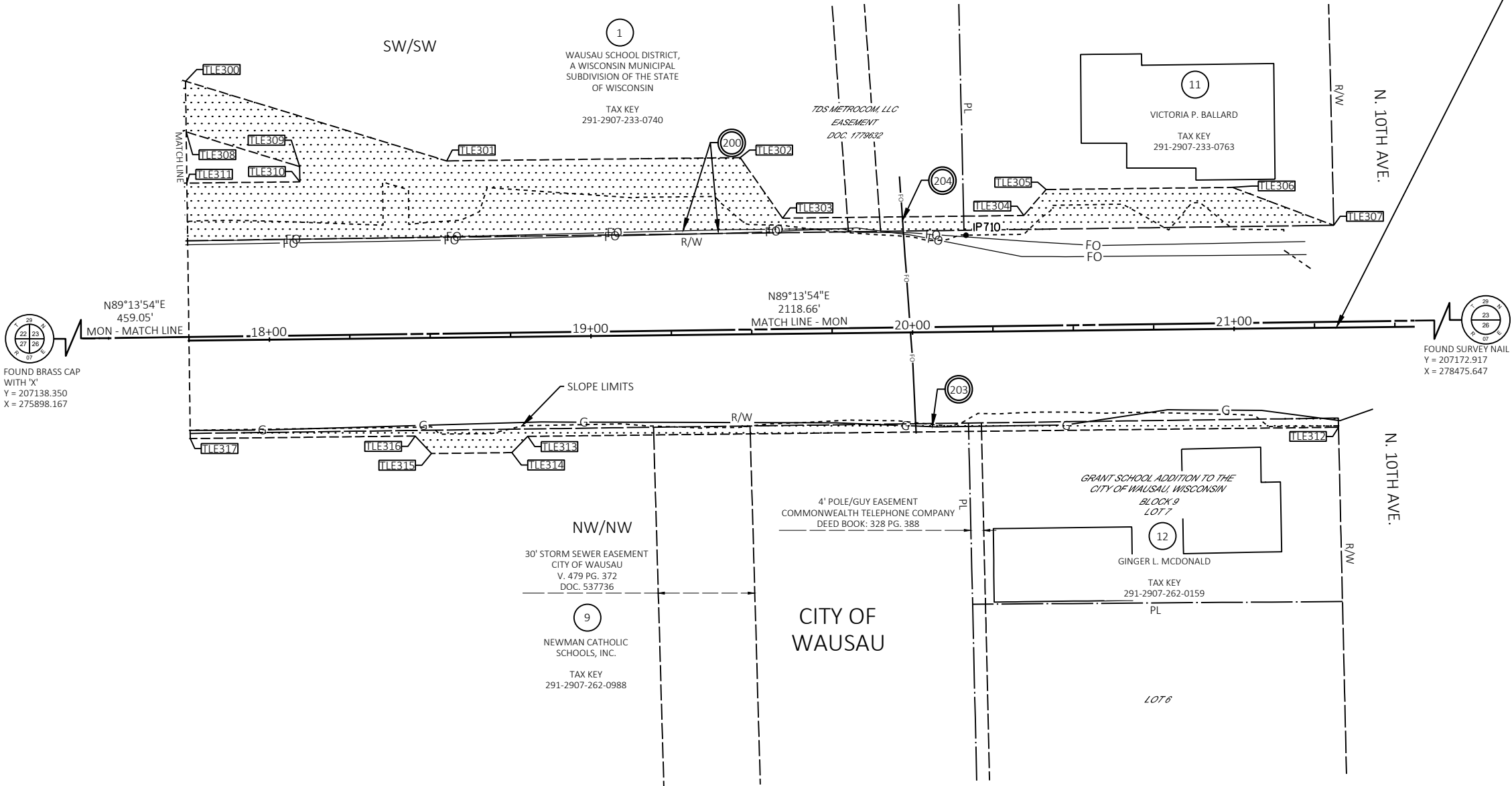
CITY COUNTY IT COMMISSION (COMMUNICATION)
NO RECORD OF EASEMENT - PAR. 1, 9
- 205

CHARTER COMMUNICATIONS (COMMUNICATION)
DEED BOOK 328 PAGE 388 - PAR. 12

EXISTING MONUMENTS			
POINT	Y (NORTHING)	X (EASTING)	DESCRIPTION
IP710	207176.160	276598.776	1-1/2" O.D. IRON PIPE

TLE STATION & OFFSET TABLE		
POINT NO.	STATION	OFFSET
TLE300	17+74.83	-80.70'
TLE301	18+55.76	-55.00'
TLE302	19+47.00	-55.00'
TLE303	19+60.00	-36.00'
TLE304	20+35.00	-36.00'
TLE305	20+42.00	-44.00'
TLE306	21+00.00	-44.00'
TLE307	21+31.36	-31.86'
TLE308	17+74.86	-64.93'
TLE309	18+10.00	-53.77'
TLE310	18+10.00	-49.00'
TLE311	17+74.89	-49.00'
TLE312	21+32.10	31.00'
TLE313	18+80.00	31.00'
TLE314	18+75.00	36.00'
TLE315	18+50.00	36.00'
TLE316	18+45.00	30.50'
TLE317	17+75.07	30.50'

END RELOCATION ORDER
PROJECT I.D. 6999-00-16
STA 21+31.73
Y= 207,147.43
X= 276,713.90
1761.93 FEET S 89°10'16" W OF THE
S1/4 CORNER OF SEC. 23, T-29-N,
R-07-E.



REVISION DATE 	DATE	SCALE, FEET 02040	HWY: WEST WAUSAU AVENUE	STATE R/W PROJECT NUMBER 6999-00-16	PLAT SHEET 4.5	
	GRID FACTOR 1.0000000		COUNTY: MARATHON	CONSTRUCTION PROJECT NUMBER 6999-00-76	PS&E SHEET	

INFRASTRUCTURE AND FACILITIES COMMITTEE

Date of Meeting: July 11, 2024, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Chad Henke, Tom Neal, Sarah Watson (Lou Larson and Michael Martens were excused.)

Also Present: Eric Lindman, TJ Niksich, Tara Alfonso, Jillian Kurtzhals, Dustin Kraege, Lori Wunsch

Discussion and possible action on Transportation Project Plat for Project ID 6999-00-16/76, West Wausau Avenue, Stevens Drive to North 10th Avenue

Niksich stated that a plat is required for the project. This identifies property boundaries and where temporary limited easements are needed. All easements for this project are temporary for the change of grade. A consultant has been hired for approximately \$50,000. Through the process, the consultant will identify what to pay the residents to acquire the temporary easements.

Neal is not familiar with the activities of consultants regarding temporary limited easements. He asked what the \$50,000 buys us that we cannot do ourselves, what specific activities we would be paying for, and how did we get to \$50,000.

Niksich explained that temporary limited easements are a requirement because of the DOT process. Real estate specialists go through and assess the property values and determine the cost to purchase/use the property for a certain amount of time. When purchasing property is involved, it usually extends the project by about a year.

Neal asked if there are typically negotiations with property owners or if it is a cut and dry process. Lindman said there can be negotiations. The consultant goes through and appraises the properties and looks at values. It comes down to a square foot cost. This is done through the eminent domain process, which is lengthy. The values are brought to Finance with the offers we want to make. The owner can counteroffer or have their own appraisal done. The City would have to pay for that appraisal. We are hopeful that since these are temporary limited easements, it will be straightforward. It is an arduous process to meet eminent domain procedures. We do not have the expertise in house to do this.

Henke asked if this is a state project. It is a state-funded project with an 80-20 cost share; however, the cost share cannot be used for real estate.

Neal moved to approve. Seconded by Watson and the motion passed 3-0.

PLAN COMMISSION

Time and Date: The Plan Commission met on Tuesday, July 16, 2024, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Doug Diny, Eric Lindman, Sarah Watson, Lou Larson, Bruce Bohlken, Andrew Brueggeman, George Bornemann.

Staff Present: William Hebert, Tara Alfonso, Andrew Lynch, Samantha Kulig, Brooke Mueller.

Others Present: Ashley Dadabo (DNA Taverns), Jay Cricks (MAC Ventures), Finishing Touch Signs, Jim Paul (resident)

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

Discussion and possible action on Transportation Project Plat for Project ID 6999-00-16/76, West Wausau Avenue, Stevens Drive to North 10th Avenue.

Eric Lindman stated that this is partially funded by the DOT but they will need some temporary limited easements.

Motion by George Borneman and seconded by Andrew Brueggeman. Motion approved unanimously.

Agenda Item No.

3

STAFF REPORT TO INFRASTRUCTURE & FACILITIES

COMMITTEE – July 11, 2024

AGENDA ITEM

Discussion and possible action on Transportation Project Plat for Project ID 6999-00-16/76, West Wausau Avenue, Stevens Drive to North 10th Avenue

BACKGROUND

The City of Wausau received STP Urban funding to reconstruct West Wausau Ave. As part of this project EMCS developed a plat to identify right of way needs. The plat identifies the parcels where temporary limited easements are needed for grading to construct the project. No permanent fee is required.

FISCAL IMPACT

The Engineering Department is in the process of hiring a consultant to acquire the TLE's thru the WDOT process. The cost of the consultant is approximately \$50,000. The cost of the TLE's will be determined by the consultant.

STAFF RECOMMENDATION

Staff recommends approving the plat.

Staff contact: Allen Wesolowski 715-261-6762

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

ORDINANCE OF THE PLAN COMMISSION

Rezone 1208 N 3rd St from Two-Flat Residential-10 (TF-10) Zoning District to Urban Mixed-Use (UMU) Zoning District.

Committee Action: Approved 7-0

Ordinance Number: 61-4057-733

Fiscal Impact: None

File Number: 24-0806

Date Introduced: August 19, 2024

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

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

PART OF NW SW COM ON W LN OF 3RD ST 122' NLY OF ITS INSECTN WITH NLY LN OF C M ST P & P R R R W W 120' N 25.5' E 120' SLY 32' TO BEG SEC 25-29-7

Now comprising a part of a Two-Flat Residential - 10 (TF-10) Zoning District, according to the Zoning Ordinance of the City of Wausau, be changed to an Urban Mixed-Use (UMU) Zoning District to allow for additional parking.

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

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

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

Adopted:
Approved:
Published:
Attest:

Approved:

Doug Diny, Mayor

Attest:

Kaitlyn Bernarde, City Clerk

PLAN COMMISSION

Time and Date: The Plan Commission met on Tuesday, July 16, 2024, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Doug Diny, Eric Lindman, Sarah Watson, Lou Larson, Bruce Bohlken, Andrew Brueggeman, George Bornemann.

Staff Present: William Hebert, Tara Alfonso, Andrew Lynch, Samantha Kulig, Brooke Mueller.

Others Present: Ashley Dadabo (DNA Taverns), Jay Cricks (MAC Ventures), Finishing Touch Signs, Jim Paul (resident)

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

Discussion and possible action for rezoning 1208 N 3rd St from part of a Two-Flat Residential - 10 (TF-10) Zoning District to an Urban Mixed-Use (UMU) Zoning District to allow for additional parking. (DNA Taverns)

Mayor Diny opened the public hearing.

Andrew Lynch spoke about the rehab of the brick residential building and the addition of parking for the brick building and the former Polack Inn. Stated that this zoning change would be appropriate for this location.

Ashley Dadabo (DNA Taverns) stated that she reached out to neighbors and other residents, they all agree that the off-street parking would be beneficial to the area.

Mayor Diny closed the public hearing.

Motion by Lou Larson and seconded by Andrew Brueggeman. Motion approved unanimously.



STAFF REPORT

To: Plan Commission
Prepared By: Andrew Lynch, AICP Asst City Planner
Date: July 08, 2024

REQUESTED ACTION:

Zoning Map Amendment

1208 3rd Street from TF-10 to UMU

LOCATION:	1210 3 rd Street
APPLICANT:	DNA Taverns LLC
EXISTING ZONING:	Two-Flat 10 TF-10
EXISTING LAND USE:	Vacant residential
SIZE OF PARCEL:	0.09 acres
REQUESTED ZONING:	Urban Mixed Use (UMU)
PURPOSE:	Rezoning for sale to DNA Taverns LLC. Expected use to renovate the residential building.
COMPREHENSIVE PLAN:	This area is mapped as City Center.
OTHER PLANS:	n/a

BACKGROUND INFORMATION:

DNA Taverns LLC is purchasing the Polack Inn and this adjoining parcel. 1208 currently has a brick vacant residential building. DNA has stated plans to renovate the building for residential use. They plan to use part of this lot and the adjoining 1210 to create parking for this the residential and commercial (Polack Inn) property.

AMENDMENTS TO ZONING MAP

Section 23.10.31(4)(b) of the Zoning Code outlines criteria for zoning map amendments that staff and the Plan Commission are to review and make recommendation to the Common Council.

Under this section, a proposed amendment is to be evaluated as to whether it:

1. Advances the purposes of this Chapter as outlined in Section 23.01.03 and the applicable rules of Wisconsin Department of Administration and the Federal Emergency Management Agency
2. Is in harmony with the Comprehensive Plan
3. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.
4. Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:
 - a. The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.
 - b. A mapping mistake was made, including the omission on the Official Zoning Map of an approved zoning map amendment.
 - c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
 - d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

ADVANCES THE PURPOSES OF THIS CHAPTER (#1)

This action advances the purpose and intent of the zoning ordinance and applicable rules of Wisconsin DOA and FEMA.

COMPLIANCE WITH COMPREHENSIVE PLAN (#2)

A change to UMU is compatible with the future land use of City Center.

COMPATIBILITY WITH EXISTING NEIGHBORHOOD CHARACTER (#3)

Yes. Neighboring zoning is also UMU and the location on a residential and commercial corridor is compatible.

ADDITIONAL FACTORS (#4 c & d)

The addition of any housing units to the market is much needed.

STAFF RECOMMENDATION

Staff recommends APPROVAL of rezoning from TF-10 to UMU.

COMMITTEE ACTION

Plan Commission may approve or deny.

The request will then proceed to City Council for final consideration.

1208 N 3rd St

**NOTICE OF PUBLIC HEARING
AFFECTING ZONING ORDINANCE OF THE CITY OF WAUSAU**

Notice is hereby given that a petition has been filed by DNA Taverns LLC with the City of Wausau **requesting that the following described property:**

PART OF NW SW COM ON W LN OF 3RD ST 122' NLY OF ITS INSECTN WITH NLY LN OF C M ST P & P R R R W W 120' N 25.5' E 120' SLY 32' TO BEG SEC 25-29-7, MORE COMMONLY KNOWN AS 1208 N 3rd St.

Now comprising a part of a Two-Flat Residential - 10 (TF-10) Zoning District, according to the Zoning Ordinance of the City of Wausau, be changed to an Urban Mixed-Use (UMU) Zoning District to allow for additional parking.

Notice is hereby given that the **Plan Commission** will hear said petition at a **public hearing** to be held in the Common Council Chambers of Wausau City Hall, 407 Grant Street, at its meeting beginning at **5:00 p.m. on Tuesday, July 16, 2024.**

Notice is also given that the **Common Council** is expected to consider the proposed rezoning at its first regular meeting in August, which is currently scheduled to begin at **6:30 p.m. on Wednesday, August 14, 2024.** at which time final action on this petition may be taken.
► Please call the Clerk/Customer Service Office at 715-261-6620 to confirm the date and time of the Common Council meeting.

June 27, 2024

Kaitlyn Bernarde, City Clerk

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

ORDINANCE OF THE PLAN COMMISSION

Rezone 1210 N 3rd St from Two-Flat Residential-10 (TF-10) Zoning District to Urban Mixed-Use (UMU) Zoning District.

Committee Action: Approved 7-0

Ordinance Number: 61-4057-734

Fiscal Impact: None

File Number: 24-0807

Date Introduced: August 19, 2024

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

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

PART OF NW SW COM ON W LN OF 3RD ST 154' NLY OF ITS INSECTN WITH NLY LN OF C M ST P & P R R R W W 120' N 25.5' E 120' S 30' TO BEG SEC 25-29-7, MORE COMMONLY KNOWN AS 1210 N 3rd St.

Now comprising a part of a Two-Flat Residential - 10 (TF-10) Zoning District, according to the Zoning Ordinance of the City of Wausau, be changed to an Urban Mixed-Use (UMU) Zoning District to allow for additional parking.

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

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

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

Adopted:
Approved:
Published:
Attest:

Approved:

Doug Diny, Mayor

Attest:

Kaitlyn Bernarde, City Clerk

PLAN COMMISSION

Time and Date: The Plan Commission met on Tuesday, July 16, 2024, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Doug Diny, Eric Lindman, Sarah Watson, Lou Larson, Bruce Bohlken, Andrew Brueggeman, George Bornemann.

Staff Present: William Hebert, Tara Alfonso, Andrew Lynch, Samantha Kulig, Brooke Mueller.

Others Present: Ashley Dadabo (DNA Taverns), Jay Cricks (MAC Ventures), Finishing Touch Signs, Jim Paul (resident)

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

Discussion and possible action for rezoning 1210 N 3rd St from part of a Two-Flat Residential - 10 (TF-10) Zoning District to an Urban Mixed-Use (UMU) Zoning District to allow for additional parking. (DNA Taverns)

Mayor Diny opened the public hearing.

Andrew Lynch spoke stating this is a city-owned lot but is too small for the city to do anything with. Economic Development agreed to the sale with approval for rezoning.

Mayor Diny asked if this property went through the remnant distribution policy, Andy Lynch stated yes.

George Bornemann asked Ashley Dadabo (DNA Taverns) how many parking spots will be located here, Ashley stated 8-10 spots so as not to make it too congested and unsafe. George also asked about how many units will be in the brick building to which Ashley stated they are planning to keep it a single-family residence.

Mayor Diny closed the public hearing.

Motion by Lou Larson and seconded by Sarah Watson. Motion approved unanimously.



STAFF REPORT

To: Plan Commission
Prepared By: Andrew Lynch, AICP Asst City Planner
Date: July 08, 2024

REQUESTED ACTION:

Zoning Map Amendment

1210 3rd Street from TF-10 to UMU

LOCATION:	1210 3 rd Street
APPLICANT:	City of Wausau
EXISTING ZONING:	Two-Flat 10 TF-10
EXISTING LAND USE:	Vacant
SIZE OF PARCEL:	0.08 acres
REQUESTED ZONING:	Urban Mixed Use (UMU)
PURPOSE:	Rezoning as condition of sale to DNA Taverns LLC. Expected use as parking lot for Polack Inn and adjoining residential building.
COMPREHENSIVE PLAN:	This area is mapped as City Center.
OTHER PLANS:	n/a

BACKGROUND INFORMATION:

The City initially acquired this parcel with the idea of combining it with an adjoining parcel due to the small size. That opportunity has not happened and DNA Taverns LLC is in the process of purchasing the Polack Inn and the adjoining brick house at 1208 3rd Street. As part of their plans they would like to provide dedicated parking for the Polack Inn and future residents of 1208 3rd Street. The Economic Development Committee (see attached memo) has agreed to the sale conditioned on successful rezoning of 1210 and DNA Taverns LLC completing the purchase of 1206 and 1208 3rd Street.

AMENDMENTS TO ZONING MAP

Section 23.10.31(4)(b) of the Zoning Code outlines criteria for zoning map amendments that staff and the Plan Commission are to review and make recommendation to the Common Council.

Under this section, a proposed amendment is to be evaluated as to whether it:

1. Advances the purposes of this Chapter as outlined in Section 23.01.03 and the applicable rules of Wisconsin Department of Administration and the Federal Emergency Management Agency
2. Is in harmony with the Comprehensive Plan
3. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.
4. Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:
 - a. The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.
 - b. A mapping mistake was made, including the omission on the Official Zoning Map of an approved zoning map amendment.
 - c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
 - d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

ADVANCES THE PURPOSES OF THIS CHAPTER (#1)

This action advances the purpose and intent of the zoning ordinance and applicable rules of Wisconsin DOA and FEMA.

COMPLIANCE WITH COMPREHENSIVE PLAN (#2)

A change to UMU is compatible with the future land use of City Center.

COMPATIBILITY WITH EXISTING NEIGHBORHOOD CHARACTER (#3)

Yes. Neighboring zoning is also UMU and the location on a residential and commercial corridor is compatible.

ADDITIONAL FACTORS (#4 c & d)

The change to UMU would allow a parking lot by right. This would provide dedicated parking to both a commercial and residential property if plans continue as stated.

STAFF RECOMMENDATION

Staff recommends APPROVAL of rezoning from TF-10 to UMU. Due to the size of the parcel redevelopment opportunities, for the City's needs, are limited.

COMMITTEE ACTION

Plan Commission may approve or deny.

The request will then proceed to City Council for final consideration.

To: Economic Development Committee
From: Randy Fifrick, Economic Development Manager
Date: July 2, 2024
Re: Sale of 1210 N 3rd Street



DNA Taverns, LLC (Dan and Ashley Dadaba) have approached the City of Wausau to purchase the City-owned property located at 1210 N 3rd Street. DNA Taverns is looking to purchase and rehab the Polack Inn (1206 N 3rd St) and an adjoining residence (1208 N 3rd St). Their plan would be to develop 1210 into a parking lot to serve the other two properties. More details of their plan are included in the attached request letter.

The property is the final remaining remnant parcel from a redevelopment project in which the City purchased several blighted properties. The properties located to the north and west of this property were developed by Blenker as part of a residential project. What remains is a slender parcel that by itself is undesirable for redevelopment.

City Assessor Rick Rubow provided an estimated assessment value for the property of \$6,900. Based on the City's Disposition Property Policy, we are looking to sell this property to DNA Taverns as an adjoining property owner contingent upon their successful rezoning and purchase of the properties at 1206 and 1208 N 3rd Street.

City Staff has reviewed the request and feels it's appropriate to move forward with the sale.

Please see the attached information and request provided by Dan and Ashley Dadabo.

Staff recommend approval of the sale of the property at 1210 N 3rd Street at a price of \$6,900.

Fw: 1206/1208/1210 N 3rd St

Ashley Dadabo <ash@amaximmo.com>

Mon 6/24/2024 1:12 PM

To: Ashley Dadabo <ash@amaximmo.com>

"Nevermore on 3rd" - Business Plan

1206 N 3rd St - DNA Taverns LLC

"Nevermore on 3rd"

Our plan to purchase and rehab the Polack Inn to Nevermore on 3rd is one that I believe the community will be excited about. We are taking a long-standing establishment with good food, a small concert venue and a building with lots of character and turning into an eclectic destination for the community. We will be focused on a romanticized dark theme that pulls on the history of the building, compliments the original tin and architecture and brings new life into that area of 3rd street.

This deal includes the residence located at 1208 N 3rd St. We have contacted contractors to reface the brick, roof and restore this residence allowing for there to be leveraged housing versus it's current standing of being uninhabitable.

We are looking to have the lot located at 1210 N 3rd St. gifted to DNA Taverns LLC and to have all three addresses (1206/1208/1210 3rd St.) rezoned from TF10 to UMU. Acquiring this lot and rezoning is going to allow for the following to occur:

- 1) Street parking to be reduced by allowing for a parking lot to occur (Beginning in the back half of the 1208/1210 city lot.). As a residence in the downtown/East hill area, I travel 3rd street frequently and when big events are held at the Polack Inn and/or surrounding businesses, the visibility and the ease of access/driving can become difficult. As current business owners in both the Tomahawk and Wausau area, we have continuously improved upon all projects we have taken on and both bar businesses we operate have increased traffic significantly making the need for parking and safety of the community imperative.
- 2) We plan to add additional lighting to the exterior of the bar, residence and potential parking lot allowing for our customers to have a safe/lit-up area to park and walk to.
- 3) Aesthetics and adding to community charm in this area of our community is of utmost priority in this proposed plan to have the city gift us 1210 3rd St. We have financing to update all units above the tavern, exterior and interior renovations to the residence and will be able to secure funds to implement the parking lot area. This allows for three lots to be cleaned up, improved upon and allows for that area to feel uniform, cleaned up and safe.

We hope you'll consider our proposal of acquiring and rezoning as a way for us to continue to improve upon a historic area of Wausau with careful consideration to keep housing while proactively looking at how to keep our patrons and community safe as we continue to grow yet another successful business in our community.

Thank you for your time!
Dan and Ashley Dadabo
Realtors - Amaximmo, LLC

Current Owners of the following businesses:
DNA Investment Properties LLC
DNA Rental Properties LLC
DNA Real Estate Sales LLC
DNA Bar and Restaurant LLC
DNA Remodels LLC
DNA Taverns LLC
Dash Property Management LLC



Land Information Mapping System

TAYLOR

LINCOLN



WOOD

PORTAGE

Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
- Red: Band_1
- Green: Band_2
- Blue: Band_3



29.31 0 29.31 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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

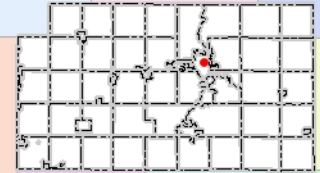
Notes



Land Information Mapping System

TAYLOR

LINCOLN

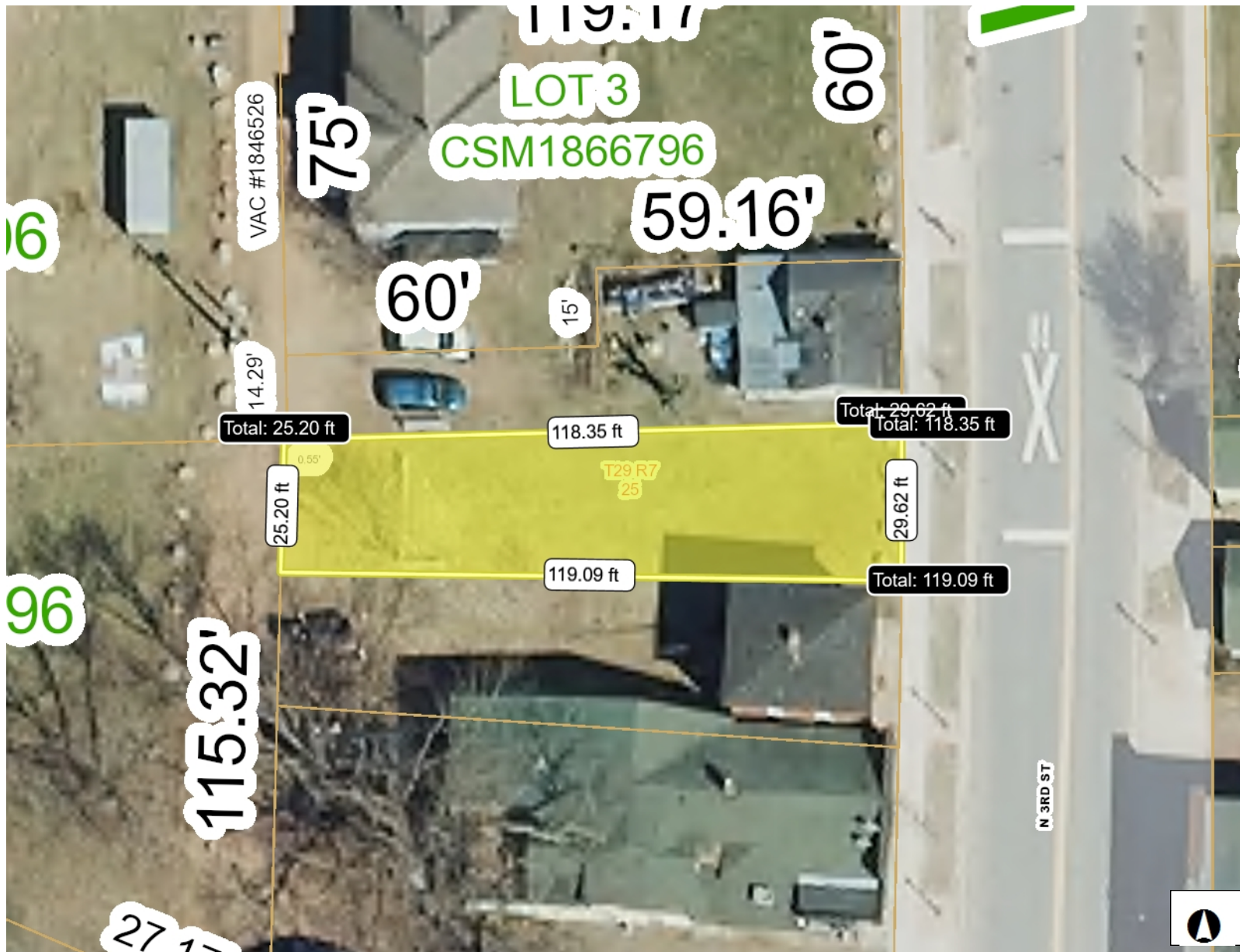


WOOD

PORTAGE

Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
- Red: Band_1
- Green: Band_2
- Blue: Band_3



14.31 0 14.31 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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

Notes

1210 N 3rd St

**NOTICE OF PUBLIC HEARING
AFFECTING ZONING ORDINANCE OF THE CITY OF WAUSAU**

Notice is hereby given that a petition has been filed with the City of Wausau **requesting that the following described property:**

PART OF NW SW COM ON W LN OF 3RD ST 154' NLY OF ITS INSECTN WITH NLY LN OF C M ST P & P R R R W W 120' N 25.5' E 120' S 30' TO BEG SEC 25-29-7, MORE COMMONLY KNOWN AS 1210 N 3rd St. Now comprising a part of a Two-Flat Residential - 10 (TF-10) Zoning District, according to the Zoning Ordinance of the City of Wausau, be changed to an Urban Mixed-Use (UMU) Zoning District to allow for additional parking.

Notice is hereby given that the **Plan Commission** will hear said petition at a **public hearing** to be held in the Common Council Chambers of Wausau City Hall, 407 Grant Street, at its meeting beginning at **5:00 p.m. on Tuesday, July 16, 2024.**

Notice is also given that the **Common Council** is expected to consider the proposed rezoning at its first regular meeting in August, which is currently scheduled to begin at **6:30 p.m. on Wednesday, August 14, 2024.** at which time final action on this petition may be taken.
► Please call the Clerk/Customer Service Office at 715-261-6620 to confirm the date and time of the Common Council meeting.

June 27, 2024

Kaitlyn Bernarde, City Clerk

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

ORDINANCE OF THE PLAN COMMISSION

Rezone 1713 Burek St from Single-Family Residential-2 (SR-2) Zoning District to Single-Family Residential-5 (SR-5) Zoning District.

Committee Action: Approved 7-0

Ordinance: 61-4057-735

Fiscal Impact: None

File Number: 24-0808

Date Introduced: August 19, 2024

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

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

*SEC 24-29-7S PT OF NW1/4 NW1/4 COM 16 RODS N OF SW COR OF NW NW E 120' S 120' W 120' N 120' TO
BEG EX W 24.5' INCL OUTLOT 1 OF CSM #14817 VOL 66-89 DOC #1479226*

Now comprising a part of a Single-Family Residential - 2 (SR-2) Zoning District, according to the Zoning Ordinance of the City of Wausau, be changed to a Single-Family Residential - 5 (SR-5) Zoning District.

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

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

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

Adopted:
Approved:
Published:
Attest:

Approved:

Doug Diny, Mayor

Attest:

Kaitlyn Bernarde, City Clerk

PLAN COMMISSION

Time and Date: The Plan Commission met on Tuesday, July 16, 2024, at 5:00 p.m. in the Common Council Chambers of Wausau City Hall.

Members Present: Mayor Doug Diny, Eric Lindman, Sarah Watson, Lou Larson, Bruce Bohlken, Andrew Brueggeman, George Bornemann.

Staff Present: William Hebert, Tara Alfonso, Andrew Lynch, Samantha Kulig, Brooke Mueller.

Others Present: Ashley Dadabo (DNA Taverns), Jay Cricks (MAC Ventures), Finishing Touch Signs, Jim Paul (resident)

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

Discussion and possible action for rezoning 1713 Burek St from SR-2, Single-Family Residential-2 Zoning District to SR-5, Single-Family Residential-5 Zoning District to allow for the construction of a single-family residence. (MAC Ventures)

Mayor Diny opened the public hearing.

Brad Lenz gave a brief introduction to the location. This is a larger lot and would fit splitting it into 2 lots to add another single-family residence.

Jim Paul (resident of neighboring parcel) was questioning if the construction of an additional residence will destroy the root structure of the trees that line the two properties causing them to fall. Jay Cricks (MAC Ventures) stated that the additional residence will be a slab-built property, no basement, so there will be very minimal ground disturbance. He also stated that they are planning to keep the tall trees along the property line and only some of the smaller trees will need removal.

Jim Paul asked who would be responsible for any damage caused by potential fallen trees, to which it was stated that it would be a private discussion between the property owners, unless the tree is on City-Owned land.

Mayor Diny closed the public hearing.

Motion by Bruce Bolken and seconded by Andrew Brueggeman. Motion approved unanimously.



STAFF REPORT

To: Plan Commission

Prepared By: Brad Lenz

Date: July 9, 2024

REQUESTED ACTION: Zoning Map Amendment – 1713 Burek Street From SR-2 to SR-5

LOCATION:	1713 Burek Street
APPLICANT:	MAC Ventures – Jay Cricks
EXISTING ZONING:	Single Family Residential-2 (SR-2)
EXISTING LAND USE:	Single-family home
SIZE OF PARCEL:	0.373 acres
REQUESTED ZONING:	Single Family Residential-5 (SR-5) This district is intended to create, preserve, and enhance areas for moderate density single family detached dwellings at an approximate density of 5 dwelling units per acre.
PURPOSE:	Create a new lot for a single-family home.
COMPREHENSIVE PLAN:	This area is mapped as Urban Residential.
OTHER PLANS:	Strategic Plan – Create new and improved existing housing stock. Wausau Metropolitan Area Housing Assessment 2022 – Build more housing of all types.

BACKGROUND INFORMATION:

The property owner is looking to split a large residential lot so that a second single-family home can be built on its own parcel. The change in zoning to SR-5 would allow smaller lot and dwelling sizes, facilitating the construction of a new home. A certified survey would be required to show that minimum lot dimensions can be met on the new lot, and adequate setback distances can be maintained for the existing structures.

AMENDMENTS TO ZONING MAP

Section 23.10.31(4)(b) of the Zoning Code outlines criteria for zoning map amendments that staff and the Plan Commission are to review and make recommendation to the Common Council.

Under this section, a proposed amendment is to be evaluated as to whether it:

1. Advances the purposes of this Chapter as outlined in Section 23.01.03 and the applicable rules of Wisconsin Department of Administration and the Federal Emergency Management Agency
2. Is in harmony with the Comprehensive Plan
3. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.
4. Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:
 - a. The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.
 - b. A mapping mistake was made, including the omission on the Official Zoning Map of an approved zoning map amendment.
 - c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
 - d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

ADVANCES THE PURPOSES OF THIS CHAPTER (#1)

This action advances the purpose and intent of the zoning ordinance and complies with applicable rules of Wisconsin DOA and FEMA.

COMPLIANCE WITH COMPREHENSIVE PLAN (#2)

The Comp Plan designates this area as suburban residential on the future land use map. SR-5 fits into that category. Objective 3 of the Housing Element encourages a variety of housing types throughout the City.

COMPATIBILITY WITH EXISTING NEIGHBORHOOD CHARACTER (#3)

The surrounding neighborhood is predominantly single-family with varying sizes and styles of homes. The proposed SR-5 zoning district currently exists adjacent to the subject property on the southeast corner, as well as across the street. The SR-5 zoning district allows smaller dwelling units on smaller parcels than the SR-2 and SR-3 districts, but the permitted land uses are essentially the same. The character of the neighborhood is not expected to change as a result of the proposed zoning map amendment.

ADDITIONAL FACTORS (#4)

Staff does not believe that other factors apply, other than an increased market demand for additional housing throughout the city and metro area, as demonstrated in the Wausau Metropolitan Area Housing Assessment 2022.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the zoning map amendment.

COMMITTEE ACTION

Plan Commission may approve or deny. The request will then proceed to City Council for final consideration.

1713 Burek St

**NOTICE OF PUBLIC HEARING
AFFECTING ZONING ORDINANCE OF THE CITY OF WAUSAU**

Notice is hereby given that a petition has been filed with the City of Wausau by MAC Ventures LLC **requesting that the following described properties be rezoned from:**

SR-2, Single-Family Residential-2 Zoning District zoned portions of the following described property:

SEC 24-29-7S PT OF NW1/4 NW1/4 COM 16 RODS N OF SW COR OF NW NW E 120' S 120' W 120' N 120' TO BEG EX W 24.5' INCL OUTLOT 1 OF CSM #14817 VOL 66-89 DOC #1479226

be changed to SR-5, Single-Family Residential-5 Zoning District to allow for the construction of a single-family residence.

Notice is hereby given that the **Plan Commission** will hear said petition at a **public hearing** to be held in the Common Council Chambers of Wausau City Hall, 407 Grant Street, at its meeting beginning at **5:00 p.m. on Tuesday, July 16, 2024.**

Notice is also given that the **Common Council** is expected to consider the proposed rezoning at its first meeting in June, which is currently scheduled to begin at **6:30 p.m. on Wednesday, August 14, 2024**, at which time final action on this petition may be taken. ► ***Please call the Clerk/Customer Service Office at 715-261-6620 to confirm the date and time of the Common Council meeting.***

June 27, 2024

Kaitlyn Bernarde, City Clerk

RESOLUTION OF THE INFRASTRUCTURE AND FACILITIES COMMITTEE

Approving Developer's Agreement with STS Investments LLC, west of Birchwood Drive and west of Old Coach Road.

Committee Action: Approved 3-0

Fiscal Impact: \$4,400 in booster station, lift station and parkland dedication fees to be paid to City

File Number: 24-0809

Date Introduced: August 19, 2024

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, on July 9, 2024, Common Council approved the dedication of right-of-way for the creation of four lots west of Birchwood Drive and Old Coach Road developed by STS Investments LLC; and

WHEREAS, WMC 21.12.060 requires a developer agreement to be executed between the developer and City.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wausau that it hereby approves the attached Developer's Agreement with STS Investments LLC and authorizes the proper City officials to execute the Developer's Agreement.

Approved:

Doug Diny, Mayor

AGREEMENT

Document No.

Document Title

AGREEMENT BETWEEN THE CITY OF WAUSAU, THE WAUSAU WATER WORKS, AND STS Investment LLC

THIS AGREEMENT made this _____ day of _____, 2024, by and between the City of Wausau, hereinafter referred to as "CITY," the Wausau Water Works, hereinafter referred to as "UTILITY," and STS Investments LLC, hereinafter referred to as "OWNER";

WITNESSETH:

WHEREAS, OWNER owns land within the city limits of the City of Wausau, which land OWNER wishes to develop into a real estate subdivision; and

WHEREAS, the development will necessitate the installation of water main, sanitary sewer main, storm sewer, storm water facilities, and streets; and

WHEREAS, CITY is in agreement with the development provided that OWNER agrees to certain provisions with regard to construction of and/or payment for some of the aforementioned facilities; and

WHEREAS, the purpose of this document is to codify into a development agreement exactly what OWNER agrees to do and what CITY/UTILITY agrees to do.

NOW, THEREFORE, the parties hereto agree as follows:

1. Attached hereto and incorporated herein by reference, and made a part of this Agreement, is a copy of the certified survey map which shows the addition of 4 lots.
2. Inspection Services. CITY shall provide inspection/testing services for sanitary sewer main, water main, curb, gutter and pavement, sidewalk and storm sewer construction. The CITY will not bill the OWNER for these services. OWNER shall be responsible for design and field survey layout of all infrastructure including but not limited to sanitary sewer, watermain, storm sewer, stormwater management facilities, curb, gutter and pavement. The OWNER shall not start any construction until final plans have been approved by the CITY and all permits have been obtained from the WDNR for sanitary sewer and water main extensions.
3. Sanitary Sewer. All lots will be provided with sewer lift station service, and each lot shall be charged a one-time \$200 lift station fee. The lift station fees are due at the signing of this agreement.
4. Water Main. All water main will be serviced by a booster station, and each lot shall be charged a one time \$500 water booster station fee. The booster station fees are due at the signing of this agreement.
5. Stormwater Facilities. OWNER shall supply and install storm sewer pipe, inlets, ditches and detention facilities and appurtenances as shown on the engineering plans and as approved by the CITY.

Recording Area

Name and Return Address

City of Wausau Engineering Dept.
407 Grant Street
Wausau, WI 54403

6. Easements. OWNER shall dedicate or cause to be dedicated all easements required to construct all utilities needed to serve the development prior to the signing of the CSM.
7. Permits. OWNER shall obtain all permits required by CITY, Department of Natural Resources, Army Corp of Engineers, or any other governmental agency to perform any work.
8. Parkland Fees. OWNER agrees to pay \$1,600.00 (One Thousand Six Hundred Dollars and 00/100), as and for a parkland dedication fee for the 4 lots on the Certified Survey Map.
9. Street Improvements. OWNER shall install base course, curb and gutter, permanent asphalt street surface, and temporary cul-de-sac in accordance with the plans and specifications as approved by the CITY. OWNER shall install 6-inch thick concrete drive approaches to lots with established driveways at time of curb and gutter installation. In the future, sidewalk may be installed in accordance with the CITY'S normal assessment procedures. The streets shall be constructed with the surface layer of asphalt in place by November 1, 2024.
10. Waiver of Notice. OWNER, for itself, its successors and assigns, waives any notice and statutory procedures required under Chapter 66 of the Wisconsin Statutes and/or any successor statute, and under CITY ordinances, and any other requirements under the law regarding special assessments and/or impact fees, and OWNER, for itself, its successors and assigns, agrees that the fees established by CITY and as outlined in this agreement shall be placed as a lien on each individual lot, without notice and without further action.

CITY OF WAUSAU

BY _____
Doug Diny, Mayor

BY _____
Kaitlyn Bernarde, Clerk

STS Investments, LLC

BY _____

BY _____

WAUSAU WATER WORKS

BY _____
Doug Diny, President

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this ____ day of _____, 2024, the above named Doug Diny, Mayor, and , Kaitlyn Bernarde, City 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 _____, 2024, the above named Doug Diny, President, of the Wausau Water Works, to me known to be the person 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 _____, 2024, the above named _____, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My commission:_____

This instrument was drafted by the Engineering Department for the City of Wausau, 407 Grant Street, Wausau, WI 54403-4783.

INFRASTRUCTURE AND FACILITIES COMMITTEE

Date of Meeting: July 11, 2024, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Chad Henke, Tom Neal, Sarah Watson (Lou Larson and Michael Martens were excused.)

Also Present: Eric Lindman, TJ Niksich, Tara Alfonso, Jillian Kurtzhals, Dustin Kraege, Lori Wunsch

Discussion and possible action on Development Agreement with STS Investments LLC, west of Birchwood Drive and west of Old Coach Road

This is a Development Agreement to extend utilities and services west of Old Coach Road and Birchwood Drive. The developer will be responsible for 100% of the cost for utilities; water, sewer, and storm sewer. The City will provide inspection services. Once the utilities are installed, they will become property of the City. This agreement includes a total of four lots.

Watson moved to approve. Seconded by Neal and the motion passed 3-0.

Agenda Item No.

4

***STAFF REPORT TO INFRASTRUCTURE AND FACILITIES
COMMITTEE – July 11, 2024***

AGENDA ITEM

Discussion and possible action on Development Agreement with STS Investments LLC, west of Birchwood Drive and west of Old Coach Road

BACKGROUND

This Developers Agreement outlines the responsibilities of the Developer and the City of Wausau for the installation of sewer and water in the attached CSM.

FISCAL IMPACT

The Developer will be responsible for 100% of the costs to install the utilities.

The City Engineering department will provide inspection services.

The sewer and water lines will become property of the Sewer and Water Utility once installed, tested, and accepted by the City.

STAFF RECOMMENDATION

Staff recommends approving the Development Agreement.

Staff contact: Allen Wesolowski 715-261-6762

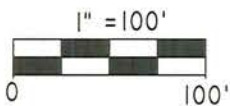
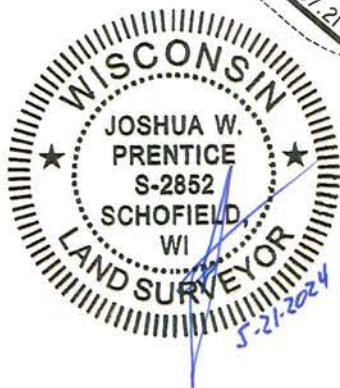
**REI**CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING
4080 N. 20TH AVENUE, WAUSAU, WI 54401
(715) 675-9784**MARATHON COUNTY CERTIFIED SURVEY MAP**

MAP NO. _____

PREPARED FOR: STS INVESTMENTS LLC.

LANDOWNER: STS INVESTMENTS LLC.

OF PART THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, AND PART OF OUTLOT 1 OF CERTIFIED SURVEY MAP NUMBER 15644, RECORDED IN VOLUME 71, ON PAGE 68, AS DOCUMENT NUMBER 1556359, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 30, TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN.

OLD COACH ROADAREA DEDICATED TO THE PUBLIC FOR
RIGHT-OF-WAY PURPOSES
8,447 SQ.FT.
0.194 ACRESUNPLATTED LANDS
OWNED BY CLIENT
±38 ACRES REMAINING
PIN 29129073040991PROPOSED TEMPORARY CUL-DE-SAC
BY SEPARATE DOCUMENTPROPOSED 30' UTILITY EASEMENT
BY SEPARATE DOCUMENTCENTER 1/4 CORNER
SEC. 30, T29N, R7E
FOUND 1.0 IN. IRON REBARPROPOSED
TEMPORARY
CUL-DE-SAC
BY SEPARATE
DOCUMENT**LOT 4**
23,232 SQ.FT.
0.533 ACRES**LOT 3**
27,161 SQ.FT.
0.624 ACRES**LOT 1**
30,044 SQ.FT.
0.690 ACRES**BIRCHWOOD DRIVE**
AREA DEDICATED TO THE PUBLIC
FOR RIGHT-OF-WAY PURPOSES
33,278 SQ.FT.
0.764 ACRESUNPLATTED LANDS
OWNED BY CLIENT
±34 ACRES REMAINING
PIN 29129073040990**LOT 2**
39,377 SQ.FT.
0.904 ACRES**LEGEND**

- - 1-1/4 IN. IRON BAR FOUND UNLESS NOTED
- - 2 IN. O.D. IRON PIPE FOUND
- - 1-1/4 IN. O.D. X 18 IN. IRON PIPE WEIGHING 1.68 LBS./LIN. FT. SET
- - 1-1/4 IN. X 18 IN. IRON BAR WEIGHING 4.303 LBS./LIN. FT. SET
- (126°) - RECORDED BEARING/LENGTH
- 126.00' - MEASURED BEARING/LENGTH

NOTES:

1. FIELD SURVEY WAS COMPLETED ON 5-10-2024.

2. BEARINGS ARE BASED ON THE MARATHON COUNTY COORDINATE SYSTEM, NAD 83(2011) DATUM AND REFERENCED TO THE EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 29 NORTH, RANGE 7 EAST, MEASURED TO BEAR SOUTH 01°07'43" EAST.

3. THIS CERTIFIED SURVEY MAP DOES NOT TRANSFER PROPERTY OWNERSHIP, AND THE SALE OR TRANSFER OF PROPERTY REQUIRES A RECORDED DEED EXCEPT FOR PUBLIC DEDICATIONS.

DRAWING FILE: P:\3000-3099\3029C - West Hill Subdivision Utility Extension\Drawing\Survey\3029C CSM.dwg

SHEET 1 OF 4

EAST 1/4 CORNER
SEC. 30, T29N, R7E
FOUND 6"X6" STONE

RIGHT-OF-WAY

OLD COACH ROAD

RIGHT-OF-WAY

P.O.B.
NW CORNER OF LOT 12**LOT 12**
TAMARACK VILLAGE
OWNED BY OTHERSNW 1/4 - SW 1/4
SECTION 29POINT "A"
SW CORNER OF LOT 12SOUTHEAST CORNER OF
THE NE 1/4 - SE 1/4
SEC. 30, T29N, R7E
FOUND 1.25 IN. O.D.
IRON PIPE**LOT 24**
WEST HILL
OWNED BY OTHERSNORTH CORNER OF OUTLOT 1,
CSM #15644
SW CORNER OF LOT 24

RIGHT-OF-WAY

BIRCHWOOD DRIVE

NW CORNER OF LOT 21

LOT 21
WEST HILL
OWNED BY OTHERS**OUTLOT 1**
CSM #15644
VOL. 71, PG. 68
OWNED BY OTHERSSE. CORNER
OF OUTLOT 1,
CSM #15644**LOT 20**
WEST HILL
OWNED BY OTHERSSW 1/4 - SW 1/4
SECTION 29SOUTHEAST CORNER
SEC. 30, T29N, R7E
FOUND ALUMINUM
CAPPED 3/4" REBAR



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

MARATHON COUNTY CERTIFIED SURVEY MAP

MAP NO. _____

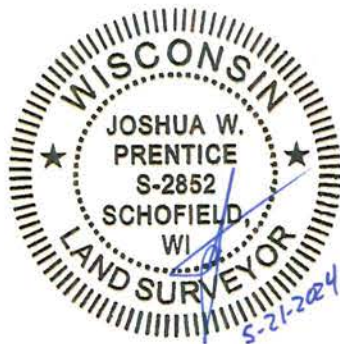
PREPARED FOR: STS INVESTMENTS LLC.

LANDOWNER: STS INVESTMENTS LLC.

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CURVE TABLE					
CURVE	ARC LENGTH	RADIUS LENGTH	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH
C1	128.40'	186.00'	39°33'04"	N48°18'15"W	125.86'
C2	91.59'	120.00'	43°43'48"	S50°23'38"E	89.38'
C3	39.31'	186.00'	12°06'36"	S85°11'36"E	39.24'
C4	246.72'	270.00'	52°21'18"	N05°25'53"W	238.22'
C5	60.08'	330.00'	10°25'55"	N69°15'14"W	60.00'
C6	99.70'	330.00'	17°18'38"	S12°05'27"W	99.32'
C7	192.68'	270.00'	40°53'18"	S68°57'26"E	188.62'
C8	35.90'	186.00'	11°03'31"	N73°36'33"W	35.84'
C9	164.29'	186.00'	50°36'35"	S53°50'00"E	159.01'
C10	75.21'	186.00'	23°10'07"	S79°39'51"E	74.70'
C11	203.61'	186.00'	62°43'11"	S59°53'19"E	193.59'
C12	86.00'	330.00'	14°55'54"	S81°56'08"E	85.76'
C13	89.42'	330.00'	15°31'29"	S56°16'32"E	89.14'
C14	235.50'	330.00'	40°53'18"	S68°57'26"E	230.53'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S01°07'43"E	182.81'
L2	S89°11'23"W	98.00'
L3	N51°12'29"W	148.84'
L4	N43°00'43"E	141.46'
L5	N61°28'17"E	66.00'
L6	S01°16'14"E	68.39'
L7	N88°45'06"E	40.42'
L8	S15°53'39"E	62.57'
L9	S15°04'04"E	161.83'
L10	S64°33'49"W	195.56'
L11	N20°44'46"E	16.92'
L12	S20°44'46"W	16.92'
L13	S88°59'07"W	149.98'
L14	N49°24'21"W	187.12'
L15	N38°56'45"E	194.76'
L16	N48°30'47"W	120.00'
L17	N41°29'13"E	60.00'
L18	S48°30'47"E	283.24'
L19	S89°24'06"E	48.42'
L20	S89°24'06"E	66.19'
(L1)	(N0°20'43"W)	(183.0')
(L8)	(S17°05'38"E)	(63.01')
(L9)	(S15°02'13"E)	(182.38')
(L10)	(N64°35'41"E)	(195.32')



CITY OF WAUSAU COMMON COUNCIL APPROVAL CERTIFICATE:
RESOLVED, THAT THE CERTIFIED SURVEY MAP, IN THE CITY OF WAUSAU, STS INVESTMENTS LLC., OWNERS, IS HEREBY APPROVED BY THE CITY OF WAUSAU COMMON COUNCIL.

DATE _____ APPROVED _____
MAYOR

DATE _____ SIGNED _____
MAYOR

I HEREBY CERTIFY THAT THE AFOREMENTIONED CERTIFIED SURVEY MAP HAS BEEN APPROVED BY THE CITY OF WAUSAU COMMON COUNCIL.

CITY OF WAUSAU CLERK



REI

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

MARATHON COUNTY CERTIFIED SURVEY MAP

MAP NO. _____

PREPARED FOR: _____ STS INVESTMENTS LLC.

LANDOWNER: _____ STS INVESTMENTS LLC.

OF PART THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, AND PART OF OUTLOT 1 OF CERTIFIED SURVEY MAP NUMBER 15644, RECORDED IN VOLUME 71, ON PAGE 68, AS DOCUMENT NUMBER 1556359, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 30, TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN.

LIMITED LIABILITY COMPANY OWNER'S CERTIFICATE

STS INVESTMENTS, LLC, A WISCONSIN LIMITED LIABILITY COMPANY, AS OWNER, DOES HEREBY CERTIFY THAT SAID COMPANY CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED ON THIS CERTIFIED SURVEY MAP.

IN WITNESS WHEREOF, THE SAID STS INVESTMENTS, LLC., HAS CAUSED THESE PRESENTS

TO BE SIGNED BY _____, MEMBER

AND COUNTERSIGNED BY _____, MEMBER

AT _____, WISCONSIN, AND ITS CORPORATE SEAL HEREUNTO AFFIXED ON

THIS _____, DAY OF _____, 2024

IN THE PRESENCE OF: STS INVESTMENTS, LLC.

_____, MEMBER

_____, MEMBER

STATE OF WISCONSIN)
SS
MARATHON COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2024

THE ABOVE NAMED _____, MEMBER

AND _____, MEMBER

OF THE ABOVE NAMED CORPORATION TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND TO ME KNOWN TO BE SUCH MEMBERS OF SAID CORPORATION, AND ACKNOWLEDGE THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH MEMBERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

NOTARY PUBLIC STATE OF WISCONSIN

MY COMMISSION EXPIRES _____





REI

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

MARATHON COUNTY CERTIFIED SURVEY MAP

MAP NO. _____

PREPARED FOR: STS INVESTMENTS LLC.

LANDOWNER: STS INVESTMENTS LLC.

OF PART THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, AND PART OF OUTLOT 1 OF CERTIFIED SURVEY MAP NUMBER 15644, RECORDED IN VOLUME 71, ON PAGE 68, AS DOCUMENT NUMBER 1556359, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 30, TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, JOSHUA W. PRENTICE, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2852, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF: THAT I HAVE SURVEYED, MAPPED, AND DIVIDED OF PART THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND, PART OF OUTLOT 1 OF CERTIFIED SURVEY MAP NUMBER 15644, RECORDED IN VOLUME 71, ON PAGE 68, AS DOCUMENT NUMBER 1556359, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL IN SECTION 30, TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 30; THENCE SOUTH 01°07'43" EAST, COINCIDENT WITH THE EAST LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 30, 1,131.10 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF OLD COACH ROAD, THE NORTHWEST CORNER OF LOT 12 OF TAMARACK VILLAGE SUBDIVISION, RECORDED IN CABINET 1, ON PAGE 179, AS DOCUMENT NUMBER 867297, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE, AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°07'43" EAST, COINCIDENT WITH SAID EAST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, 182.81 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, THE SOUTHWEST CORNER OF SAID LOT 12 OF TAMARACK VILLAGE SUBDIVISION AND A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 89°11'24" WEST, COINCIDENT WITH THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, 98.00 FEET; THENCE NORTH 51°12'29" WEST, 148.84 FEET; THENCE NORTH 43°00'43" EAST, 141.46 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST; THENCE 128.40 FEET COINCIDENT WITH THE ARC OF SAID CURVE, SAID CURVE HAVING A RADIUS LENGTH OF 186.00 FEET, A CENTRAL ANGLE OF 39°33'04", AND A CHORD THAT BEARS NORTH 48°18'15" WEST, FOR A DISTANCE OF 125.86 FEET; THENCE NORTH 61°28'17" EAST, 66.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST; THENCE 91.59 FEET COINCIDENT WITH THE ARC OF SAID CURVE, SAID CURVE HAVING A RADIUS LENGTH OF 120.00 FEET, A CENTRAL ANGLE OF 43°43'48", AND A CHORD THAT BEARS SOUTH 50°23'38" EAST, FOR A DISTANCE OF 89.38 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID OLD COACH ROAD; THENCE SOUTH 01°16'14" EAST, COINCIDENT WITH THE WEST RIGHT-OF-WAY LINE OF SAID OLD COACH ROAD, 68.39 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF OLD COACH ROAD AND THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST; THENCE 39.31 FEET COINCIDENT WITH THE ARC OF SAID CURVE AND SAID SOUTH RIGHT-OF-WAY LINE OF OLD COACH ROAD, SAID CURVE HAVING A RADIUS LENGTH OF 186.00 FEET, A CENTRAL ANGLE OF 12°06'36", AND A CHORD THAT BEARS SOUTH 85°11'36" EAST, FOR A DISTANCE OF 39.24 FEET; THENCE NORTH 88°45'06" EAST, COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY LINE OF OLD COACH ROAD, 40.42 FEET TO THE POINT OF BEGINNING;

AND;
BEGINNING AT AFOREMENTIONED POINT "A"; THENCE SOUTH 00°59'29" EAST, COINCIDENT WITH THE EAST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, 181.20 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BIRCHWOOD DRIVE, THE NORTH CORNER OF SAID OUTLOT 1, THE SOUTHWEST CORNER OF LOT 24 OF THE WEST HILL SUBDIVISION, RECORDED IN CABINET 3, ON PAGE 345, AS DOCUMENT NUMBER 1399224, FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE, ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 15°53'39" EAST, COINCIDENT WITH THE EAST LINE OF SAID OUTLOT 1, 62.57 FEET TO THE NORTHWEST CORNER OF SAID LOT 21 OF WEST HILL SUBDIVISION AND THE SOUTH RIGHT-OF-WAY LINE OF SAID BIRCHWOOD DRIVE; THENCE SOUTH 15°04'04" EAST, COINCIDENT WITH SAID EAST LINE OF OUTLOT 1, 161.83 FEET TO THE SOUTHEAST CORNER OF SAID OUTLOT 1; THENCE SOUTH 64°33'49" WEST, COINCIDENT WITH THE NORTH LINE OF OUTLOT 2 OF SAID CERTIFIED SURVEY MAP NUMBER 15644, 195.56 FEET TO THE NORTHWEST CORNER OF SAID OUTLOT 2 AND THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST; THENCE 246.72 FEET COINCIDENT WITH THE ARC OF SAID CURVE, SAID CURVE HAVING A RADIUS LENGTH OF 270.00 FEET, A CENTRAL ANGLE OF 52°21'18", AND A CHORD THAT BEARS NORTH 05°25'53" WEST, FOR A DISTANCE OF 238.22 FEET; THENCE NORTH 20°44'46" EAST, 16.92 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST; THENCE 60.08 FEET COINCIDENT WITH THE ARC OF SAID CURVE, SAID CURVE HAVING A RADIUS LENGTH OF 330.00 FEET, A CENTRAL ANGLE OF 10°25'55", AND A CHORD THAT BEARS NORTH 69°15'14" WEST, FOR A DISTANCE OF 60.00 FEET; THENCE SOUTH 20°44'46" WEST, 16.92 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE 99.70 FEET COINCIDENT WITH THE ARC OF SAID CURVE, SAID CURVE HAVING A RADIUS LENGTH OF 330.00 FEET, A CENTRAL ANGLE OF 17°18'38", AND A CHORD THAT BEARS SOUTH 12°05'27" WEST, FOR A DISTANCE OF 99.32 FEET; THENCE SOUTH 88°59'07" WEST, 149.98 FEET; THENCE NORTH 49°24'21" WEST, 187.12 FEET; THENCE NORTH 38°56'45" EAST, 194.76 FEET; THENCE NORTH 48°30'47" WEST, 120.00 FEET; THENCE NORTH 41°29'13" EAST, 60.00 FEET; THENCE SOUTH 48°30'47" EAST, 283.24 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST; THENCE 192.68 FEET COINCIDENT WITH THE ARC OF SAID CURVE, SAID CURVE HAVING A RADIUS LENGTH OF 270.00 FEET, A CENTRAL ANGLE OF 40°53'18", AND A CHORD THAT BEARS SOUTH 68°57'26" EAST, FOR A DISTANCE OF 188.62 FEET; THENCE SOUTH 89°24'06" EAST, 48.42 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF BIRCHWOOD DRIVE, SAID SOUTHWEST CORNER OF LOT 24 OF WEST HILL SUBDIVISION, SAID NORTH CORNER OF OUTLOT 2, AND THE POINT OF BEGINNING.

THAT THE ABOVE DESCRIBED PARCELS OF LAND CONTAINS 161,539 SQUARE FEET, 3.709 ACRES, MORE OR LESS.

THAT I HAVE MADE THIS SURVEY, DIVISION AND MAP THEREOF AT THE DIRECTION OF STS INVESTMENTS LLC., AGENT OF SAID PARCELS.

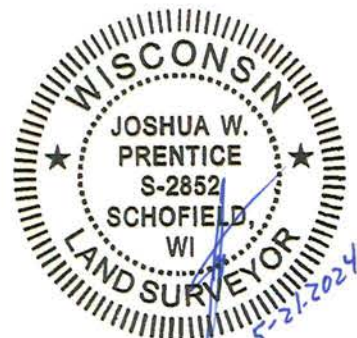
THAT SAID PARCELS ARE SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF THE WISCONSIN STATUTES, WISCONSIN ADMINISTRATIVE CODE A-E7, AND THE SUBDIVISION REGULATIONS OF THE CITY OF WAUSAU.

THAT THIS MAP IS A CORRECT AND ACCURATE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF SAID PARCELS, AND OF THE DIVISION THEREOF MADE.

DATED THIS 21ST DAY OF MAY 2024

REI
JOSHUA W. PRENTICE
WI P.L.S. S-2852



INITIAL RESOLUTION OF THE INFRASTRUCTURE AND FACILITIES COMMITTEE

Setting a public hearing regarding vacating and discontinuing certain right-of-way along East Thomas Street abutting a portion of 700 Grand Avenue and vacating a portion of right-of-way formerly known as 804-806 Grand Avenue, 810 Grand Avenue, 814 Grand Avenue and 816 Grand Avenue.

Committee Action: Approved 5-0

Fiscal Impact: None

File Number: 24-0811

Date Introduced: August 19, 2024

FISCAL IMPACT SUMMARY

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

RESOLUTION

WHEREAS, pursuant to Wis. Stats. 66.1003(4)(a), it is declared that since the public interest requires it, the following described public way, all of which is located in the City of Wausau be vacated and discontinued:

See attached for legal description

WHEREAS, the above legally described right-of-way is further depicted on Exhibit 1 attached hereto; and

WHEREAS, the Capital Improvements and Street Maintenance Committee at its August 8, 2024 meeting recommended that a hearing be held.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wausau, that a hearing on the passage of the foregoing resolution shall be held before the Capital Improvements and Street Maintenance Committee of the City of Wausau in the Council Chambers of City Hall, 407 Grant Street, Wausau, Marathon County, Wisconsin, on the 10th day of October, 2024, at 5:15 p.m., on said day, and the proper City officials are hereby authorized and directed to give notice of said hearing by personal service and publication of said hearing as provided by law.

Approved:

Doug Diny, Mayor

**Grand Avenue
(804-810-814-816 Grand Ave.)**

A portion of the right-of-way laid out and established by the Relocation Order as part of Resolution No. 06-0915 approved by the Wausau Common Council on March 13, 2007, being part of Lots 2, 3, and 4, Assessor's Plat Number Five to the City of Wausau, Government Lot 2, Section 36, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

Commencing at the Southeast corner of said Section 36; thence S 89°34'37" W West, along the South line of the Southeast ¼ of said Section 36, 2645.84 feet to the South ¼ corner of said Section 36; thence N 19°55'36" W, 1996.00 feet to a point on the Southwesterly line of said Lot 4, the point of beginning; Thence N 14°39'34" W, 233.61 feet to the Northerly line of said Lot 2; thence S 74°50'29" W, along said Northerly line, 183.34 feet to the Southwesterly line of said Lot 2; thence Southeasterly, along said Southwesterly line and along the Southwesterly lines of said Lots 3 and 4, to the point of beginning.

and also;

**E. Thomas Street
(700 Grand Ave.)**

A portion of the E. Thomas Street right-of-way in Government Lot 2, Section 36, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

Commencing at the Southeast corner of said Section 36; thence S 89°34'37" W West, along the south line of the Southeast ¼ of said Section 36, 2645.84 feet to the South ¼ corner of said Section 36; thence N 19°55'36" W, 1996.00 feet to a point on the Southwesterly line of said Lot 4; thence N 14°39'34" W, 372.76 feet to the Northerly line of said Lot 1; thence S 75°16'41" W, along said Northerly line, 44.16 feet to the Southerly right-of-way of E. Thomas Street as designated by R/W Project No. 9439-04-03 being part of Resolution No. 04-0108 approved by the Wausau Common Council on April 26, 2005 and recorded as Document No. 1408227 in the Office of Register of Deeds for Marathon County; thence S 55°12'26" W, along said Southerly right-of-way, 59.45 feet to the Westerly line of said Lot 1, the point of beginning;

Thence continuing S 55°12'26" W, 141.16 feet to the Northeasterly railroad right-of-way lying adjacent to said Lot 1; thence S 48°48'54" E, along said Northeasterly railroad right-of-way, 26.03 feet to the Southerly right-of-way of E. Thomas Street as designated by said R/W Project No. 9439-04-03; thence N 30°56'42" E, along said Southerly right-of-way, 31.95 feet to the Northerly line of said Lot 1; thence N 62°28'40" E, along said Northerly line, 97.56 feet to said Westerly line of Lot 1; thence N 14°43'19" W, along said Westerly line, 26.06 feet to said Southerly right-of-way of E. Thomas Street as defined by R/W Project No. 9439-04-03, the point of beginning;

INFRASTRUCTURE AND FACILITIES COMMITTEE

Date of Meeting: August 8, 2024, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Chad Henke, Lou Larson, Michael Martens, Sarah Watson, Tom Neal (arrived at 5:20 pm)

Also Present: Mayor Diny, Eric Lindman, Allen Wesolowski, TJ Niksich, Jillian Kurtzhals, Solomon King, Dustin Kraege, Randy Fifrick, Gary Gisselman, Jared Thompson, Jessa Bokhoven, Lori Wunsch, Matt Graun – Becher Hoppe, Sean Jergens – SRF, Eric Jones – CIP

Discussion and possible action on preliminary resolution to vacate certain right-of-way along East Thomas Street abutting a portion of 700 Grand Avenue, and vacating a portion of right-of-way formerly known as 804-806 Grand Avenue, 810 Grand Avenue, 814 Grand Avenue, and 816 Grand Avenue

A map included in the packet shows the areas proposed for vacation. This is a preliminary resolution to set the public hearing. If the resolution goes to Council on August 19th, the public hearing would be held before this committee on October 10th.

Watson moved to approve setting the public hearing. Seconded by Neal and the motion passed 5-0.

Agenda Item No.

6

STAFF REPORT TO INFRASTRUCTURE AND FACILITIES

COMMITTEE – August 8, 2024

AGENDA ITEM

Discussion and possible action on preliminary resolution to vacate certain right-of-way along East Thomas Street abutting a portion of 700 Grand Avenue, and vacating a portion of right-of-way formerly known as 804-806 Grand Avenue, 810 Grand Avenue, 814 Grand Avenue, and 816 Grand Avenue

BACKGROUND

A map is attached showing the proposed right-of-way to be vacated. The majority of this was dedicated by a Relocation Order in 2007.

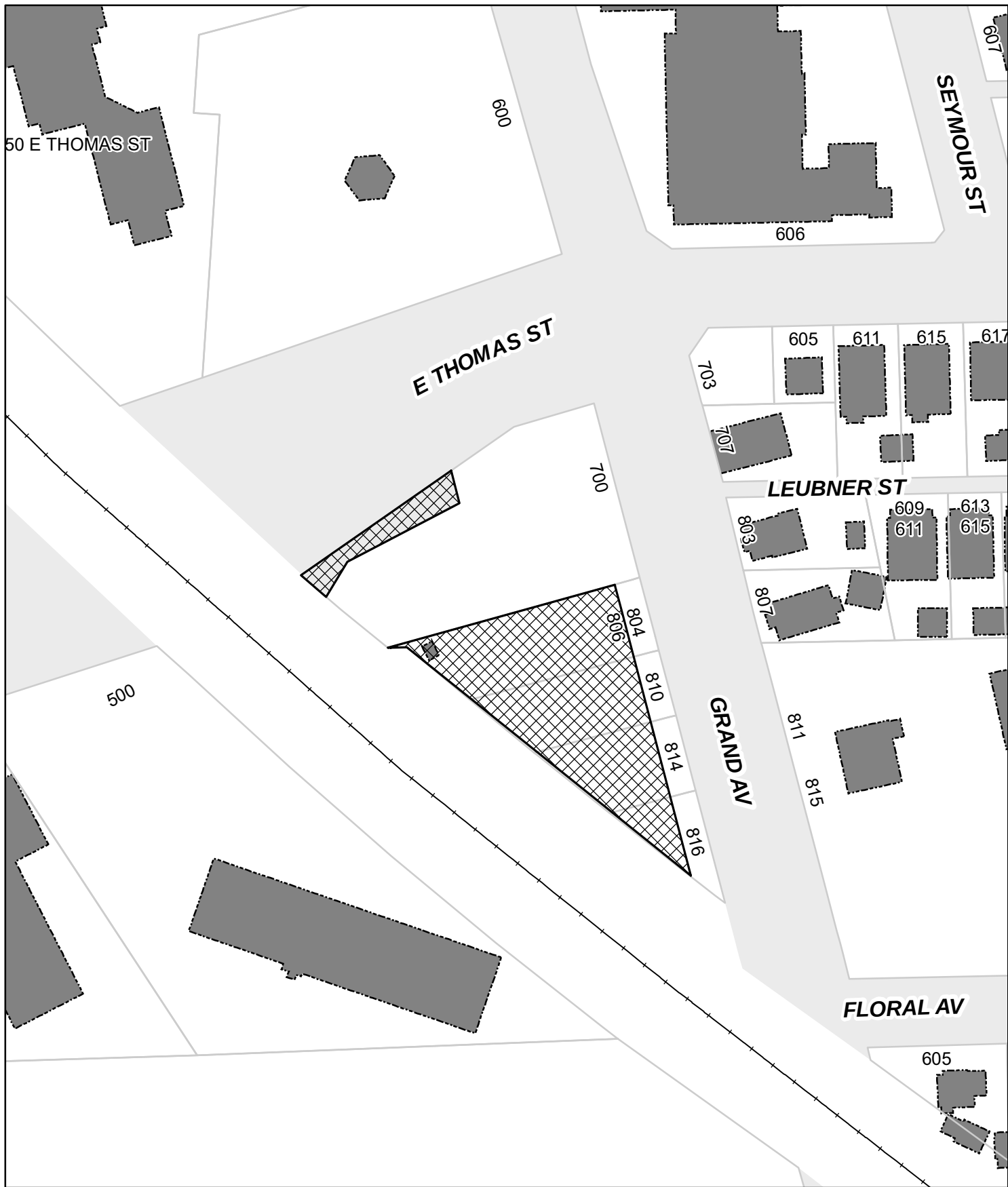
FISCAL IMPACT

Vacating this right-of-way will allow for the development of the parcels.

STAFF RECOMMENDATION

Staff recommends approving a preliminary resolution to vacate the right-of-way.

Staff contact: Allen Wesolowski 715-261-6762



0 25 50 100
Feet

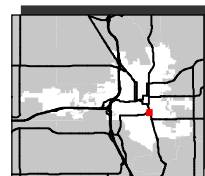
Map Date: May 20, 2024

CITY OF WAUSAU

Marathon County, Wisconsin

Legend

-  Existing Building
-  Existing Right-of-Way
-  Proposed ROW Vacation



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

RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE

Accepting the submittal of Wangard Partners for a residential development in the Riverlife District at 15 Fulton Street and 920 N 1st Street.

Committee Action: Approved 4-0

Fiscal Impact:

File Number: 24-0812

Date Introduced: August 19, 2024

FISCAL IMPACT SUMMARY

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

RESOLUTION

WHEREAS, your Economic Development Committee approved issuing a Request for Interest (RFI) for development in the Riverlife District at 15 Fulton Street and 920 N 1st Street on May 7, 2024; and

WHEREAS, the RFI was posted on the City’s website inviting interested parties to propose a project for the site, and provided background information on the site including market demand, a property layout, zoning and environmental status; and

WHEREAS, the redevelopment of riverfront property is a strategic focus of the City; and

WHEREAS, the City received two proposals in response to the RFI from Wangard Partners and T Wall Enterprises; and

WHEREAS, both developers presented their proposals at the Economic Development Committee meeting on August 7, 2024; and

WHEREAS, at their August 7, 2024 meeting, your City’s Economic Development Committee recommended to accept the proposal from Wangard Partners to move their concept forward; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Wausau approves accepting the proposal submitted by Wangard Partners for a residential development in the Riverlife District at 15 Fulton Street and 920 N 1st Street, and authorizes the appropriate City officials to work with Wangard Partners to enter into a Planning Option for the property.

Approved:

Doug Diny, Mayor

To: City Council
From: Randy Fifrick, Interim Community Development Manager
Date: August 19, 2024
Re: Request for Interest on Riverlife South Properties Responses



The past May, the City of Wausau released a Request for Interest (RFI) for development of the Riverlife South area. The City invited developers to express interest and provide information on their company and plans for the area.

Based on the RFI, successful proposals should: (1) Be creative in its use and add value to the neighborhood and surrounding businesses; (2) Propose a use that complements the existing area uses and maximizes property tax value of the land to City; (3) Meets the City's Urban Design Guidelines, highlights the natural amenities, and fulfills the unique nature of the site.

The City received two complete responses for the redevelopment project. They are summarized below, with each full proposals found by clicking the following link:

<https://www.wausauwi.gov/your-government/community-development/economic-development/requests-for-proposals-rfp>

T. Wall Enterprises

While their current priorities are the Foundry on 3rd development and the Mall Redevelopment, they are interested in developing Riverlife South in the next few years if the City does not select a developer for the riverfront property.

Wangard Partners

The Development proposal calls for approximately 135 units in two 4 story multifamily buildings as well as park area and walking trails to compliment and further activate the Riverfront Development District.

Both developers presented at the Economic Development Committee meeting and answered questions from the Committee. After discussing, the Committee chose to move forward with the proposal from Wangard based on their timeline and previous experience development experience in Wisconsin.

If Council agrees, City Staff will work with Wangard to execute a Planning Option. Once the Planning Option is in place it will allow Wangard to perform site due diligence and testing to further refine their site plan. As that happens, we work to negotiate a development agreement that will lay out the specifics for the development including City financial assistance.

RESOLUTION OF THE FINANCE COMMITTEE

Authorization to Accept Lead Hazard Reduction Capacity Building grant through the Office of Lead Hazard Control and Health Homes through the U.S. Department of Housing and Urban Development.

Committee Action: Failed 0-5

Fiscal Impact: Grant funds of \$1,984,999

File Number: 24-0704

Date Introduced: July 9, 2024

FISCAL IMPACT SUMMARY

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

WHEREAS, the City of Wausau has applied for a Lead Hazard Reduction Capacity Building grant through the Office of Lead Hazard Control and Health Homes through the U.S. Department of Housing and Urban Development to assist with Lead Hazard Reduction activities in older homes; and

WHEREAS, the City acknowledges that lead paint hazards can negatively affect small children and pregnant women both physically and cognitively; and

WHEREAS, the City of Wausau was awarded \$1,984,999, and would require a 10% contribution, to be used towards assisting with capacity building to assist the City with the ability to qualify for additional funds to remediate identified lead paint hazards in older housing over the next three-year period; and

WHEREAS, due to a decrease in staff, the City's Finance Committee recommended declining the funding; and

WHEREAS, the Common Council of the City of Wausau has the opportunity to override the Finance Committee's decision and accept such grant.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Wausau, that the proper City officials are hereby authorized to accept the funding and execute all necessary documents associated with the Lead Hazard Reduction Capacity Building grant.

Approved:

Doug Diny, Mayor

FINANCE COMMITTEE

Date and Time: Tuesday, June 11, 2024, at 5:15 p.m., Council Chambers

Members Present: Michael Martens (C), Gary Gisselman (VC), Becky McElhaney (arrived at 5:16 p.m.), Terry Kilian, Vicki Tierney

Others Present: Mayor Diny, MaryAnne Groat, Matt Barnes, Jeremy Kopp, Eric Lindman, Liz Brodek, Kody Hart, Alder Lukens

Noting the presence of a quorum Chairperson Martens called the meeting to order at 5:15 p.m.

Discussion and possible action regarding the acceptance of the US HUD Lead Hazard Reduction Capacity Building Grant Program Grant \$1,984,999.

Kilian questioned who applied for this grant. It was stated that the city applied for the program and Community Infrastructure Partners assisted with the application. Kilian questioned if this was the appropriate time to act on the program as there was not an identified funding source for the extensive training and research program. It was stated that the ten percent match and staff capacity within the department is prohibitive to accepting the grant. Staff recommended denying the grant unless directed to seek a substantial extension. Kilian agreed with denying the grant.

McElhaney arrived to the meeting.

McElhaney stated that the requirement for this program to have a dedicated staff member was concerning. It was further questioned if delay was appropriate as the requirements are too great and that Marathon County conducts lead paint abatement already. McElhaney stated that the city should trim down the grant possibility right now.

Martens stated that the grant was only for lead paint detection and not for abatement or remediation.

Tierney stated agreement with Kilian and McElhaney's sentiments to deny the acceptance of the grant due to the staff time and additional costs.

Motion by Kilian, seconded by McElhaney, to accept the grant. Motion failed 0-5.



MEMO

TO: Finance Committee and Common Council

FROM: Liz Brodek, Development Director; and Tammy Stratz, Community Development Manager

RE: Lead Hazard Capacity Building Federal Grant opportunity

DATE: June 7, 2024

The City of Wausau applied for and received the federal “Lead Hazard Reduction Capacity Building” (LHRCB) grant. The grant is intended to work in parallel with the Lead Service Lateral (LSL) identification project currently underway, but the LHRCB grant focuses on the identification of lead paint. The City was awarded \$1.9 million for the LHRCB grant, which requires a 10% match. The grant and match funds would be disbursed and expended over three years. However, after attending a New Grantee Orientation to discuss the responsibilities of accepting this grant, staff are concerned with the ability to meet the required thresholds. Some of these concerns are as follows:

1. A 10% match is required (which equates to approximately \$190,000) and the funding source is undetermined.
2. The Negotiation Budget, a complex and detailed document, is due June 14, 2024.
3. The capacity of staff to commit to the operation of this grant. Most awardees hire an additional person as this person should expect to spend 75% of their time on the implementation and operation of the grant.
4. At least two staff persons would have to attend several trainings throughout the grant term. These trainings would be in Washington D.C. Even though the grant can pay for this expense, only 10% of the grant can go towards administration costs.
5. These funds would go toward lead paint identification. A separate, subsequent grant may be available for lead paint remediation. It is unknown when or if this grant would be available. A portion of the grant can be allocated to the training of contractors to assist with lead abatement projects. It may also fund the outreach/marketing of the lead remediation program, development of a tracking system of applications, and increase of partnerships.

Staff received communication from HUD regarding a potential extension to accommodate staff capacity. It seems likely that a 60 day extension would be granted for the Negotiation paperwork, and potentially another extension up to a year to hire or upskill staff to take on the grant.



MEMO

TO: City Council Members

FROM: Tammy Stratz, Community Development Manager

RE: Reconsidering acceptance of Lead Hazard Reduction Capacity Building grant

DATE: July 22, 2024

On July 9, 2024, City Council members voted 10 to 1 in favor of declining the Lead Hazard Capacity Building grant through the Office of Lead Hazard Control and Health Homes through the U.S. Department of Housing and Urban Development (HUD).

Since that time, the Mayor and I had the opportunity to meet (via Zoom) four representatives from HUD to discuss our concerns and why the grant was declined by City Council. Through this meeting, we learned additional information that may affect your previous decision. That information is as follows:

1. Part of the grant *CAN* be used for the actual remediation work on a home to remove identified lead hazards.
2. The grant assists with getting the word out to residents as to how this grant can improve their homes.
3. We discussed our intent in applying for the grant was for remediation of the lead laterals on the owners side. HUD indicated that they are working in that direction too.
4. We discussed the ability to manage the grant. They said a portion could be used to hire an assistant – of which we do not believe Council will approve. However, we could hire a non-profit to help us with coordination, applications, etc.
5. The grant period is for three (3) years. The first part of the grant is geared towards capacity building which is working with outreach and finding partnering organizations. They don't expect a lot of remediation activity at the beginning. Then the final portion would be the actual testing and remediation of lead in residential homes.
6. If we are not able to expend all the funds within the three years, Wausau will not be in any "trouble" and there could be an opportunity to request for an extension.
7. Two of the HUD representatives assigned to the City were former government workers and understand how stressful these grants are. They assured us that they are our partners and will help us succeed. They will be here at City Council to assist with any potential questions.

After our conversation, I felt a lot better about the grant and the ability to manage it. Then, I found out additional, more exciting information: The City of Wausau plays only a small part in the administration of this grant. Marathon County Health Department, H2N, Hmong American Center, Medical College of Wisconsin, WIPPS, as well as C.I.P. are all interested in participating and have contributed to the initial grant writing process. All of them have a great knowledge in the Lead poisoning field and have worked with the City of Wausau, Community Development on many projects.



Page 2

Since Council's initial turn down of the grant was announced, all entities had moved on with other projects as far as budgets go. If the City does reconsider and approves the acceptance of this opportunity, the Health Department must also obtain approvals from the County Board and their respective committees. Staff will support those endeavors so we can, together, put these funds to good use for the City of Wausau residents and help to stop the lead poisoning of children.

Based on this new information, I hope you will reconsider your previous vote. If you have any questions or concerns before the meeting, please feel free to call me at 715-261-6682 or e-mail me at tammy.stratz@ci.wausau.wi.us. Thank you.

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

RESOLUTION OF THE ECONOMIC DEVELOPMENT COMMITTEE

Authorization of the American Rescue Plan Act – Beneficiary Agreement and Attestation with the Wausau Community Development Authority.

Committee Action: Passed 4 – 1

Fiscal Impact: Transfer of \$1,097,763.53 of ARPA funds to the WCDA

File Number: 24-0803

Date Introduced: August 19, 2024

FISCAL IMPACT SUMMARY

COSTS	Budget Neutral	Yes ☒ No ☐	
	Included in Budget:	Yes ☐ No ☐	Budget Source:
	One-time Costs:	Yes ☒ No ☐	Amount: \$1,097,763.56
	Recurring Costs:	Yes ☐ No ☒	Amount:
SOURCE	Fee Financed:	Yes ☐ No ☐	Amount:
	Grant Financed:	Yes ☒ No ☐	Amount: \$1,097,763.56 ARPA
	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 of Wausau received \$15,586,461 of American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds (“ARPA grant”) from the US Treasury; and

WHEREAS, the City of Wausau conducted public meetings; established applications and a ranking matrix to evaluate the use of American Recovery Funds; and

WHEREAS, the City of Wausau accepted and allocated \$600,000 of the ARPA grant to Infill lots (“Infill”) and \$500,000 of the ARPA grant to Affordable Multifamily Complex development; the aim of both projects is to increase the availability and variety of affordable living options in Wausau, the loss of which was exacerbated by the pandemic; and

WHEREAS, the City of Wausau accepted and allocated \$25,000 of the ARPA grant to the Community Development Department to award incentives toward closing costs to clients who took the City’s Homebuyer Counseling class; and

WHEREAS, the City of Wausau Common Council classified the ARPA grant as “Public Health Negative Economic Impact – Assistance to Low- or Moderate-Income Households” for its reporting to the Treasury Department at their September 13, 2022, meeting; and

WHEREAS, of the above allocations of the ARPA grant, \$590,308.53 remains unexpended from the Infill allocation, \$484,455.00 remains unexpended from the Affordable Multifamily Complex allocation and \$23,000 remains unexpended Homebuyer Counseling funds; and

WHEREAS, the Wausau Community Development Authority (WCDA) is a Public Housing Authority that manages 231 affordable housing units, administers hundreds of Section 8 Housing Choice Vouchers, and is a critical affordable housing resource in the Wausau community; and

WHEREAS, based upon the Department of Treasury Department guidance outlined above and the grant classifications of revenue replacement by the State of Wisconsin and City of Wausau, the WCDA is deemed to be a beneficiary for the purpose of creating additional affordable housing options in the City of Wausau; and

WHEREAS, the City of Wausau and WCDA intend to stack and leverage a variety of other funding sources in the planning, design, and execution of affordable housing projects, including Community Development Block Grant (CDBG) and HOME funds; and

WHEREAS, the funds allocated to Infill, Multifamily Complex, and Homebuyer Counseling may assist with all aspects of creating more affordable housing including but not limited to design, preparation, planning, construction, and sale of deed-restricted affordable housing options; and

BE IT RESOLVED, by the Common Council of the City of Wausau that it hereby approves the Beneficiary Agreement and Attestation between the City of Wausau and the Wausau Community Development Authority; and

BE IT FURTHER RESOLVED, that the Mayor be designated the authorized representative of the city to execute said agreement and Community Development staff be authorized to provide all information, reports, and other documents necessary to implement the creation of additional affordable housing units on City-owned or WCDA-owned properties.

Approved:

Doug Diny, Mayor

CITY OF WAUSAU

AMERICAN RESCUE PLAN ACT - BENEFICIARY AGREEMENT AND ATTESTATION



WHEREAS, The City of Wausau received \$15,586,461 of American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds (“ARPA grant”) from the US Treasury; and

WHEREAS, the City of Wausau conducted public meetings; established applications and a ranking matrix to evaluate the use of American Recovery Funds; and

WHEREAS, the Wausau Community Development Authority (WCDA) is a Public Housing Authority that manages 231 affordable housing units, administers hundreds of Section 8 Housing Choice Vouchers, and is a critical affordable housing resource in the Wausau community; and

WHEREAS, the City of Wausau accepted and designated/allocated \$600,000 of the ARPA grant to Infill lots (“Infill”) and \$500,000 of the ARPA grant to Affordable Multifamily Complex development; the aim of both projects is to increase the availability and variety of affordable living options in Wausau, the loss of which was exacerbated by the pandemic; and

WHEREAS, of the above allocations of the ARPA grant, \$590,308.53 remains unexpended from the Infill allocation and \$484,455.00 remains unexpended from the Affordable Multifamily Complex allocation; and

WHEREAS, the City of Wausau accepted and designated/allocated \$25,000 of the ARPA grant to the Community Development Department to award incentives toward closing costs to clients who took the City’s Homebuyer Counseling class; and

WHEREAS, the City of Wausau desires to reallocate \$23,000 of unexpended Homebuyer Counseling funds to the Affordable Housing infill allocation balance for the purpose of designing, preparing, constructing, and selling more affordable housing units in the City of Wausau; and

WHEREAS, the City of Wausau and WCDA intend to stack and leverage a variety of other funding sources in the planning, design, and execution of affordable housing projects, including Community Development Block Grant (CDBG) and HOME funds; and

WHEREAS, the funds allocated to Infill, Multifamily Complex, and Homebuyer Counseling may assist with all aspects of creating more affordable housing including but not limited to design, preparation, planning, construction, and sale of deed-restricted affordable housing options and

WHEREAS, the City of Wausau Common Council classified the ARPA grant as “Public Health Negative Economic Impact – Assistance to Low or Moderate Income Households” for its reporting to the Treasury Department at their September 13, 2022, meeting; and

WHEREAS, based upon the Department of Treasury Department guidance outlined above and the grant classifications of revenue replacement by the State of Wisconsin and City of Wausau, the WCDA is deemed to be a beneficiary for the purpose of creating additional affordable housing options in the City of Wausau; and

Now therefore the parties agree as follows:

The City of Wausau requires that beneficiaries of the City comply with all laws, rules, and regulations applicable to the receipt of such funds.

The City agrees to remit \$1,097,763.53 of ARPA grant funds to the WCDA on November 1, 2024.



Federal Awarding Agency: US Department of Treasury

CFDA #: 21.027 – Coronavirus State and Local Fiscal Recovery (CSLFRF)

Treasury Final Rule Eligibility Activity: Revenue Replacement. Grantee is not considered a subrecipient of the City of Wausau pursuant to US Department of Treasury guidance related to use of State and Local Fiscal Recovery Funds, FAQ, #13.13

Period of Performance: March 3, 2021 to December 31, 2024

Amount of Award and Budget Not To Exceed: \$1,097,763.53

Beneficiary Certification:

By signing below, I hereby certify that I have read this form and hereby attest as an authorized representative of the Wausau Community Development Authority that the Wausau Community Development Authority meets the requirements of an eligible beneficiary.

I further certify and attest that the Wausau Community Development Authority shall comply with all laws, rules, and regulations applicable to the receipt of such funds; and

I further certify and attest that the Wausau Community Development Authority shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color or national origin (42 U.S.C. (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement.

I further understand that providing false or misleading information may subject the Wausau Community Development Authority to recoupment of funds up to the amount received.

SIGNATURE PAGE FOLLOWS

For the City of Wausau:

Signature: _____ **Date** _____

Print Name: _____

Entity Legal Name: _____

Entity UEI: _____

Address: _____

For the Wausau Community Development Authority:

Signature: _____ **Date** _____

Print Name: _____

Entity Legal Name: _____

Entity UEI: _____

Address: _____

RESOLUTION NO. 24-0810

RESOLUTION AUTHORIZING THE ISSUANCE AND
SALE OF UP TO \$1,048,735 WATER SYSTEM REVENUE BONDS, SERIES 2024B,
AND PROVIDING FOR OTHER DETAILS AND
COVENANTS WITH RESPECT THERETO

WHEREAS, the City of Wausau, Marathon County, Wisconsin (the "Municipality") owns and operates a Water System (the "System") which is operated for a public purpose as a public utility by the Municipality; and

WHEREAS, pursuant to a resolution adopted by the Governing Body on November 14, 2017 (the "2017C Resolution"), the Municipality has heretofore issued its Water System Revenue Bonds, Series 2017C, dated December 5, 2017 (the "2017C Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to a resolution adopted by the Governing Body on September 10, 2019 (the "2019D Resolution"), the Municipality has heretofore issued its Water System Revenue Bonds, Series 2019D, dated October 1, 2019 (the "2019D Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to a resolution adopted by the Governing Body on June 9, 2020 (the "2020B Resolution"), the Municipality has heretofore issued its Water System Revenue Bonds, Series 2020B, dated June 24, 2020 (the "2020B Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to a resolution adopted by the Governing Body on June 11, 2024 (the "2024 Resolution"), the Municipality has heretofore issued its Water System Revenue Bonds, Series 2024, dated June 26, 2024 (the "2024 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, the 2017C Bonds, the 2019D Bonds, the 2020B Bonds and the 2024 Bonds shall collectively be referred to as the "Prior Bonds"; and

WHEREAS, the 2017C Resolution, the 2019D Resolution, the 2020B Resolution and the 2024 Resolution shall collectively be referred to as the "Prior Resolutions"; and

WHEREAS, certain improvements to the System are necessary to meet the needs of the Municipality and the residents thereof, consisting of the construction of a project (the "Project") assigned Safe Drinking Water Loan Program Project No. 4930-15 by the Department of Natural Resources, and as described in the Department of Natural Resources approval letter for the plans and specifications of the Project, or portions thereof, issued under Section 281.41, Wisconsin Statutes, assigned No. W-2023-0651 and dated September 11, 2023 by the DNR; and

WHEREAS, under the provisions of Chapter 66, Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which

bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

WHEREAS, the Municipality deems it to be necessary, desirable and in its best interest to authorize and sell water system revenue bonds of the Municipality payable solely from the revenues of the System, pursuant to the provisions of Section 66.0621, Wisconsin Statutes, to pay the cost of the Project; and

WHEREAS, the Prior Resolutions permit the issuance of additional bonds on a parity with the Prior Bonds upon certain conditions, and those conditions have been met; and

WHEREAS, other than the Prior Bonds, no bonds or obligations payable from the revenues of the System are now outstanding.

NOW, THEREFORE, be it resolved by the Governing Body of the Municipality that:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

- (a) "Act" means Section 66.0621, Wisconsin Statutes;
- (b) "Bond Registrar" means the Municipal Treasurer which shall act as Paying Agent for the Bonds;
- (c) "Bonds" means the \$1,048,735 Water System Revenue Bonds, Series 2024B, of the Municipality dated their date of issuance, authorized to be issued by this Resolution;
- (d) "Bond Year" means the twelve-month period ending on each May 1;
- (e) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;
- (f) "Debt Service Fund" means the Water System Revenue Bond and Interest Special Redemption Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;
- (g) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form attached hereto and incorporated herein by this reference;
- (h) "Fiscal Year" means the twelve-month period ending on each December 31;
- (i) "Governing Body" means the Common Council, or such other body as may hereafter be the chief legislative body of the Municipality;

(j) "Gross Earnings" means the gross earnings of the System, including earnings of the System derived from water charges imposed by the Municipality, all payments to the Municipality under any service agreements between the Municipality and any contract users of the System, and any other monies received from any source including all rentals and fees, any tax incremental district revenues or other revenues of the Municipality pursuant to Section 9 appropriated by the Governing Body to the System, and any special assessments levied and collected in connection with the Project;

(k) "Municipal Treasurer" means the Treasurer of the Municipality who shall act as Bond Registrar and Paying Agent;

(l) "Municipality" means the City of Wausau, Marathon County, Wisconsin;

(m) "Net Revenues" means the Gross Earnings of the System after deduction of Current Expenses;

(n) "Parity Bonds" means bonds payable from the revenues of the System other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11 of this Resolution;

(o) "Prior Bonds" means the 2017C Bonds, the 2019D Bonds, the 2020B Bonds and the 2024 Bonds, collectively;

(p) "Prior Resolutions" means the 2017C Resolution, the 2019D Resolution, the 2020B Resolution and the 2024 Resolution, collectively;

(q) "Project" means the Project described in the preamble to this Resolution. All elements of the Project are to be owned and operated by the Municipality as part of the System as described in the preamble hereto;

(r) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date;

(s) "System" means the entire Water System of the Municipality specifically including that portion of the Project owned by the Municipality and including all property of every nature now or hereafter owned by the Municipality for the extraction, collection, treatment, storage, transmission, distribution metering and discharge of industrial and potable public water, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such Water System and including all appurtenances, contracts, leases, franchises, and other intangibles;

(t) "2017C Bonds" means the Municipality's Water System Revenue Bonds, Series 2017C, dated December 5, 2017;

(u) "2017C Resolution" means a resolution adopted by the Governing Body on November 14, 2017 authorizing the issuance of the 2017C Bonds;

(v) "2019D Bonds" means the Municipality's Water System Revenue Bonds, Series 2019D, dated October 1, 2019;

(w) "2019D Resolution" means a resolution adopted by the Governing Body on September 10, 2019 authorizing the issuance of the 2019D Bonds;

(x) "2020B Bonds" means the Municipality's Water System Revenue Bonds, Series 2020B, dated June 24, 2020;

(y) "2020B Resolution" means a resolution adopted by the Governing Body on June 9, 2020 authorizing the issuance of the 2020B Bonds;

(z) "2024 Bonds" means the Municipality's Water System Revenue Bonds, Series 2024, dated June 26, 2024; and

(aa) "2024 Resolution" means a resolution adopted by the Governing Body on June 11, 2024 authorizing the issuance of the 2024 Bonds.

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of paying the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the System up to the sum of \$1,048,735; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Safe Drinking Water Loan Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is incorporated herein by this reference and the Mayor and City Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Water System Revenue Bonds, Series 2024B" (the "Bonds"); shall be dated their date of issuance; shall be numbered one and upward; shall bear interest at the rate of 2.365% per annum; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement and in the Bond form attached hereto as Exhibit A as it is from time to time adjusted by the State of Wisconsin based upon the actual draws made by the Municipality. Interest on the Bonds shall be payable commencing on May 1, 2025 and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

The schedule of maturities of the Bonds is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

Section 4. Form, Execution, Registration and Payment of the Bonds. The Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Bonds shall be executed in the name of the Municipality by the manual signatures of the Mayor and City Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Bonds shall be paid by the Municipal Treasurer, who is hereby appointed as the Municipality's Bond Registrar.

Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America by the Bond Registrar. Payment of principal of the final maturity on the Bond will be payable upon presentation and surrender of the Bond to the Bond Registrar. Payment of principal on the Bond and each installment of interest shall be made to the registered owner of each Bond who shall appear on the registration books of the Municipality, maintained by the Bond Registrar, on the Record Date and shall be paid by electronic transfer or by check or draft of the Municipality (as directed by the registered owner) and if by check or draft, mailed to such registered owner at his or its address as it appears on such registration books or at such other address may be furnished in writing by such registered owner to the Bond Registrar.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund hereinafter continued, and shall be a valid claim of the registered owner or owners thereof only against such Debt Service Fund and the revenues of the System pledged to such fund, on a parity with the pledge granted to the holders of the Prior Bonds. Sufficient revenues are hereby pledged to said Debt Service Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due.

Section 6. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the System, and to secure the payment of the principal of and interest on the Prior Bonds, the Bonds and Parity Bonds, certain funds of the System which were created and established by the 2017C Resolution are hereby further continued and shall be used solely for the following respective purposes:

- (a) Water System Operation and Maintenance Fund (the "Operation and Maintenance Fund"), which shall be used for the payment of Current Expenses.
- (b) Water System Revenue Bond and Interest Special Redemption Fund (the "Debt Service Fund"), which shall be used for the payment of the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and Parity Bonds as the same becomes due. The Reserve Account provided by the 2017C Resolution and 2019D Resolution within the Debt Service Fund is not pledged to the payment of principal of or interest on the Bonds, the 2020B Bonds or the 2024 Bonds, and moneys in the Reserve Account shall under no circumstances be used to pay principal of or interest on the Bonds, the 2020B Bonds or the 2024 Bonds.
- (c) Water System Depreciation Fund (the "Depreciation Fund"), which shall be used to provide a proper and adequate depreciation account for the System.

- (d) Water System Surplus Fund (the "Surplus Fund"), which shall first be used when necessary to meet requirements of the Operation and Maintenance Fund including the one month reserve, the Debt Service Fund including the Reserve Account, and the Depreciation Fund. Any money then remaining in the Surplus Fund at the end of any Fiscal Year may be used only as permitted and in the order specified in Section 66.0811(2), Wisconsin Statutes. Money thereafter remaining in the Surplus Fund may be transferred to any of the funds or accounts created herein.

Section 7. Application of Revenues. After the delivery of the Bonds, the Gross Earnings of the System shall be deposited as collected in the Revenue Fund and shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

- (a) to the Operation and Maintenance Fund, in an amount equal to the estimated Current Expenses for such month and for the following month (after giving effect to available amounts in said Fund from prior deposits);
- (b) to the Debt Service Fund, an amount equal to one-sixth (1/6) of the next installment of interest coming due on the Prior Bonds, the Bonds and any Parity Bonds then outstanding and an amount equal to one-twelfth (1/12) of the installment of principal of the Prior Bonds, the Bonds and any Parity Bonds coming due during such Bond Year (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source), and any amount required by the 2017C Resolution, the 2019D Resolution or a future resolution authorizing the issuance of additional Parity Bonds to fund the Reserve Account;
- (c) to the Depreciation Fund, an amount determined by the Governing Body to be sufficient to provide a proper and adequate depreciation account for the System; and
- (d) to the Surplus Fund, any amount remaining in the Revenue Fund after the monthly transfers required above have been completed.

Transfers from the Revenue Fund to the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit in the Revenue Fund as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (d) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund and deposited in the Debt Service Fund shall be sufficient in

any event to pay the interest on the Prior Bonds, the Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures, and to fund the Reserve Account as required in connection with the 2017C Bonds and the 2019D Bonds and any future bonds secured thereby.

Section 8. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other funds and accounts of the Municipality and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34, Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes. The other funds herein created (except the Water System SDWLP Project Fund) may be combined in a single account in a public depository selected in the manner set forth above and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Section 9. Service to the Municipality. The reasonable cost and value of services rendered to the Municipality by the System by furnishing water services for public purposes shall be charged against the Municipality and shall be paid in monthly installments as the service accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the System; that is to say, out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The reasonable cost and value of such service to the Municipality in each year shall be equal to an amount which, together with other revenues of the System, will produce in each Fiscal Year Net Revenues equivalent to not less than the annual principal and interest requirements on the Prior Bonds, the Bonds, any Parity Bonds and any other obligations payable from the revenues of the System then outstanding, times the greater of (i) 110% or (ii) the highest debt service coverage ratio required with respect to any obligations payable from revenues of the System then outstanding. However, such payment out of the tax levy shall be subject to (a) approval of the Public Service Commission, or successors to its function, if applicable, (b) yearly appropriations therefor, and (c) applicable levy limitations, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of the services rendered to the Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of System; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the obligations of the Municipality as set forth in the Financial Assistance Agreement.

Section 11. Additional Bonds. The Bonds are issued on a parity with the Prior Bonds as to the pledge of revenues of the System. No bonds or obligations payable out of the revenues of the System may be issued in such manner as to enjoy priority over the Bonds. Additional obligations may be issued if the lien and pledge is junior and subordinate to that of the Bonds. Parity Bonds may be issued only under the following circumstances:

(a) Additional Parity Bonds may be issued for the purpose of completing the Project and for the purpose of financing costs of the Project which are ineligible for payment under the State of Wisconsin Safe Drinking Water Loan Program. However, such additional Parity Bonds shall be in an aggregate amount not to exceed 20% of the face amount of the Bonds; or

(b) Additional Parity Bonds may also be issued if all of the following conditions are met:

(1) The Net Revenues of the System for the Fiscal Year immediately preceding the issuance of such additional bonds must have been in an amount at least equal to the maximum annual interest and principal requirements on all bonds outstanding payable from the revenues of the System, and on the bonds then to be issued, times the greater of (i) 1.10 or (ii) the highest debt service coverage ratio to be required with respect to the Additional Parity Bonds to be issued or any other obligations payable from the revenues of the System then outstanding. Should an increase in permanent rates and charges, including those made to the Municipality, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional bonds or during that part of the Fiscal Year of issuance prior to such issuance, then Net Revenues for purposes of such computation shall include such additional revenues as a registered municipal advisor, an independent certified public accountant, consulting professional engineer or the Wisconsin Public Service Commission may calculate would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year.

(2) The payments required to be made into the funds enumerated in Section 6 of this Resolution must have been made in full.

(3) The additional bonds must have principal maturing on May 1 of each year and interest falling due on May 1 and November 1 of each year.

(4) The proceeds of the additional bonds must be used only for the purpose of providing extensions or improvements to the System, or to refund obligations issued for such purpose.

Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Safe Drinking Water Loan Program for the purchase price of up to \$1,048,735 and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as hereinabove provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement, and the officers of the Municipality are authorized to prepare and submit to the State requisitions and disbursement requests in anticipation of the execution of the Financial Assistance Agreement and the issuance of the Bonds.

Section 13. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Water System SDWLP Project Fund." The Water System SDWLP Project Fund shall be used solely for the purpose of paying the costs of the Project as more fully described in the preamble hereof and in the Financial Assistance Agreement. Moneys in the Water System SDWLP Project Fund shall be disbursed within three (3) business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

Section 14. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the Municipality may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the Municipality; provided, however, that no amendment shall permit any change in the pledge of revenues derived from the System or the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Rebate Fund. Unless the Bonds are exempt from the rebate requirements of the Internal Revenue Code of 1986, as amended (the "Code"), the Municipality shall establish and maintain, so long as the Bonds and any Parity Bonds are outstanding, a separate account to be known as the "Rebate Fund." The sole purpose of the Rebate Fund is to provide for the payment of any rebate liability with respect to the Bonds under the relevant provisions of the Code and the Treasury Regulations promulgated thereunder (the "Regulations"). The Rebate Fund shall be maintained by the Municipality until all required rebate payments with respect to the Bonds have been made in accordance with the relevant provisions of the Code and the Regulations.

The Municipality hereby covenants and agrees that it shall pay to the United States from the Rebate Fund, at the times and in the amounts and manner required by the Code and the Regulations, the portion of the "rebate amount" (as defined in Section 1.148-3(b) of the Regulations) that is due as of each "computation date" (within the meaning of Section 1.148-3(e) of the Regulations). As of the date of this Resolution, the provisions of the Regulations specifying the required amounts of rebate installment payments and the time and manner of such payments are contained in Sections 1.148-3(f) and (g) of the Regulations, respectively. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Bonds or any Parity Bonds and may only be used for the payment of any rebate liability with respect to the Bonds.

The Municipality may engage the services of accountants, attorneys or other consultants necessary to assist it in determining the rebate payments, if any, owed to the United States with respect to the Bonds. The Municipality shall maintain or cause to be maintained records of determinations of rebate liability with respect to the Bonds for each computation date until six (6) years after the retirement of the last of the Bonds. The Municipality shall make such records available to the State of Wisconsin upon reasonable request therefor.

Section 17. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 18. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State of Wisconsin, to provide to the State of Wisconsin Safe Drinking Water Loan Program and to such other persons or entities as directed by the State of Wisconsin such ongoing disclosure regarding the Municipality's financial condition and other matters, at such times and in such manner as the Safe Drinking Water Loan Program may require, in order that securities issued by the Municipality and the State of Wisconsin satisfy rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended and as it may be amended from time to time, imposed on brokers and dealers of municipal securities before the brokers and dealers may buy, sell, or recommend the purchase of such securities.

Section 19. Conflicting Resolutions. All ordinances, resolutions (other than the Prior Resolutions), or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage. In case of any conflict between this Resolution and the Prior Resolutions, the Prior Resolutions shall control as long as any of the respective Prior Bonds are outstanding.

Passed: August 19, 2024

Approved: August 19, 2024

Doug Diny
Mayor

Attest:

Kaitlyn A. Bernarde
City Clerk

EXHIBIT A

(Form of Municipal Obligation)

REGISTERED
NO. _____

UNITED STATES OF AMERICA
STATE OF WISCONSIN
MARATHON COUNTY
CITY OF WAUSAU

REGISTERED
\$ _____

WATER SYSTEM REVENUE BOND, SERIES 2024B

Final
Maturity Date

May 1, 2044

Date of
Original Issue

_____, 20__

REGISTERED OWNER: STATE OF WISCONSIN SAFE DRINKING WATER LOAN
PROGRAM

FOR VALUE RECEIVED the City of Wausau, Marathon County, Wisconsin (the "Municipality") hereby acknowledges itself to owe and promises to pay to the registered owner shown above, or registered assigns, solely from the fund hereinafter specified, the principal sum of an amount not to exceed _____ DOLLARS (\$ _____) (but only so much as shall have been drawn hereunder, as provided below) on May 1 of each year commencing May 1, 2025 until the final maturity date written above, together with interest thereon (but only on amounts as shall have been drawn hereunder, as provided below) from the dates the amounts are drawn hereunder or the most recent payment date to which interest has been paid, at the rate of 2.365% per annum, calculated on the basis of a 360-day year made up of twelve 30-day months, such interest being payable on the first days of May and November of each year, with the first interest being payable on May 1, 2025.

The principal amount evidenced by this Bond may be drawn upon by the Municipality in accordance with the Financial Assistance Agreement entered by and between the Municipality and the State of Wisconsin by the Department of Natural Resources and the Department of Administration including capitalized interest transferred (if any). The principal amounts so drawn shall be repaid in installments on May 1 of each year commencing on May 1, 2025 in an amount equal to an amount which when amortized over the remaining term of this Bond plus current payments of interest (but only on amounts drawn hereunder) at Two and 365/1000ths percent (2.365%) per annum shall result in equal annual payments of the total of principal and the semiannual payments of interest. The State of Wisconsin Department of Administration shall record such draws and corresponding principal repayment schedule on a cumulative basis in the format shown on the attached Schedule A.

Both principal and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. On the final maturity date, principal of this Bond shall be payable only upon presentation and surrender of this Bond at the office of the Municipal Treasurer. Principal hereof and interest hereon shall be payable by electronic transfer or by check or draft dated on or before the applicable payment date (as directed by the registered owner) and if by check or draft, mailed from the office of the Municipal Treasurer to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding such interest payment date.

This Bond shall not be redeemable prior to its maturity, except with the consent of the registered owner.

This Bond is transferable only upon the books of the Municipality kept for that purpose at the office of the Municipal Treasurer, by the registered owner in person or its duly authorized attorney, upon surrender of this Bond, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Municipal Treasurer, duly executed by the registered owner or its duly authorized attorney. Thereupon a replacement Bond shall be issued to the transferee in exchange therefor. The Municipality may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. This Bond is issuable solely as a negotiable, fully-registered bond, without coupons, and in denominations of \$0.01 or any integral multiple thereof.

This Bond is issued for the purpose of providing for the payment of the cost of constructing improvements to the Water System of the Municipality, pursuant to Article XI, Section 3, of the Wisconsin Constitution, Section 66.0621, Wisconsin Statutes, and a resolution adopted August 19, 2024, and entitled: "Resolution Authorizing the Issuance and Sale of Up to \$1,048,735 Water System Revenue Bonds, Series 2024B, and Providing for Other Details and Covenants With Respect Thereto" and is payable only from the income and revenues of the Water System of the Municipality (the "Utility"). The Bonds are issued on a parity with the Municipality's Water System Revenue Bonds, Series 2017C, dated December 5, 2017, Water System Revenue Bonds, Series 2019D, dated October 1, 2019, Water System Revenue Bonds, Series 2020B, dated June 24, 2020 and Water System Revenue Bonds, Series 2024, dated June 26, 2024, as to the pledge of income and revenues of the Utility. This Bond does not constitute an indebtedness of said Municipality within the meaning of any constitutional or statutory debt limitation or provision.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said Municipality from the operation of its Utility has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be signed by the signatures of its Mayor and City Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

CITY OF WAUSAU,
WISCONSIN

(SEAL)

By: _____
Doug Diny
Mayor

By: _____
Kaitlyn A. Bernarde
City Clerk

COPY

(Form of Assignment)

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

(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing

Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

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

Signature(s) guaranteed by

SCHEDULE A

\$1,048,735

CITY OF WAUSAU, WISCONSIN
WATER SYSTEM REVENUE BONDS, SERIES 2024B

<u>Amount of Disburse- ment</u>	<u>Date of Disbursement</u>	<u>Series of Bonds</u>	<u>Principal Repaid</u>	<u>Principal Balance</u>

SCHEDULE A (continued)

PRINCIPAL REPAYMENT SCHEDULE

<u>Date</u>	<u>Principal Amount</u>
May 1, 2025	\$41,615.86
May 1, 2026	42,600.07
May 1, 2027	43,607.57
May 1, 2028	44,638.89
May 1, 2029	45,694.60
May 1, 2030	46,775.27
May 1, 2031	47,881.51
May 1, 2032	49,013.90
May 1, 2033	50,173.08
May 1, 2034	51,359.68
May 1, 2035	52,574.33
May 1, 2036	53,817.72
May 1, 2037	55,090.51
May 1, 2038	56,393.40
May 1, 2039	57,727.10
May 1, 2040	59,092.35
May 1, 2041	60,489.88
May 1, 2042	61,920.46
May 1, 2043	63,384.88
May 1, 2044	64,883.94



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August 9, 2024

VIA EMAIL

Ms. Maryanne A. Groat
Finance Director/Treasurer
City of Wausau
407 Grant Street
Wausau, WI 54403

Scope of Engagement Re: Proposed Issuance of \$1,048,735 City of Wausau (the "City")
Water System Revenue Bonds, Series 2024B (Safe Drinking Water Loan)

Dear Ms. Groat:

We are pleased to be working with you again as the City's bond counsel.

The purpose of this letter is to set forth the role we propose to serve and responsibilities we propose to assume as bond counsel in connection with the issuance of the above-referenced bonds (the "Bonds") by the City.

Role of Bond Counsel

Bond counsel is engaged as a recognized independent expert whose primary responsibility is to render an objective legal opinion with respect to the authorization and issuance of municipal obligations. As bond counsel we will: examine applicable law; prepare authorizing and closing documents; consult with the parties to the transaction, including the City's financial advisor (if any), prior to the issuance of the Bonds; review certified proceedings; and undertake such additional duties as we deem necessary to render the opinion. As bond counsel, we do not advocate the interests of the City or any other party to the transaction. We assume that the parties to the transaction will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction.

Subject to the completion of proceedings to our satisfaction, we will render our opinion that:

- 1) the City has authority to issue the Bonds for the purpose in question and has followed proper procedures in doing so;
- 2) the Bonds are valid and binding obligations of the City according to their terms; and,

- 3) the interest paid on the Bonds will be excludable from gross income for federal income tax purposes (subject to certain limitations which may be expressed in the opinion).

The opinion will be executed and delivered by us in written form on the date the Bonds are exchanged for their purchase price (the "Closing") and will be based on facts and law existing as of its date. Upon delivery of the opinion, our responsibilities as bond counsel will be concluded with respect to this financing; specifically, but without implied limitation, we do not undertake (unless separately engaged) to provide any post-closing compliance services including any assistance with the City's continuing disclosure commitment, ongoing advice to the City or any other party concerning any actions necessary to assure that interest paid on the Bonds will continue to be excluded from gross income for federal income tax purposes, or participating in an Internal Revenue Service, Securities and Exchange Commission or other regulatory body survey or investigation regarding or audit of the Bonds.

In rendering the opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation.

The services we will provide under this engagement are strictly limited to legal services. We are neither qualified nor engaged to provide financial advice and we will make no representation about the desirability of the proposed plan of finance, the feasibility of the projects financed or refinanced by the Securities, or any related matters.

Diversity of Practice; Consent to Unrelated Engagements

Because of the diversity of practice of our firm, the firm may be asked to represent other clients in matters adverse to the City, for example, in zoning, licensing, land division, real estate, property tax or other matters which are unrelated to our bond counsel work. Ethical requirements require that we obtain the City's consent to such representations. We do not represent you in legal matters regularly, although we may be called upon for special representation occasionally, and our bond counsel work does not usually provide us information that will be disadvantageous to you in other representations. We do not believe that such representations of others would adversely affect our relationship with you, and we have found that local governments generally are agreeable to the type of unrelated representation described above. Your approval of this letter will serve to confirm that the City consents and agrees to our representation of other present or future clients in matters adverse to the City which are not substantially related to the borrowing and finance area or any other area in which we have agreed to serve it. We agree, however, that your prospective consent to conflicting representation contained in this paragraph shall not apply in any instance where, as a result of our representation of the City, we have obtained proprietary or other confidential information, that, if known to the other client, could be used by that client to your material disadvantage. We will not disclose to the other client(s) any confidential information received during the course of our representation of the City. If you have any questions or would like to discuss this consent further, please call us.

We also want to advise you that from time to time we represent the purchaser of the Bonds, the State of Wisconsin, and various departments and agencies of the State (collectively, the "State") or other bond market participants such as the City's financial advisor, if any. In past and current transactions that are not related to the issuance of the Bonds and our role as bond counsel to the City, we may have served or be serving as bond counsel or other counsel to the State or the City's financial advisor. We may also be asked to represent the State or the City's financial advisor in future transactions that are not related to the issuance of the Bonds or our role as bond counsel to the City. Your approval of this letter will serve to confirm that the City consents to our firm undertaking representations of this type.

As bond counsel, we will not assume or undertake responsibility for the preparation of an Official Statement or other disclosure document with respect to the Bonds, nor are we responsible for performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document. However, if a disclosure document is prepared and adopted or approved by the City, we will either prepare or review any description therein of:

- i) Wisconsin and federal law pertinent to the validity of the Bonds and the tax treatment of interest paid thereon and
- (ii) our opinion.

Fees

Based upon: (i) our current understanding of the terms, structure, size and schedule of the financing, (ii) the duties we will undertake pursuant to this letter, (iii) the time we anticipate devoting to the financing, and (iv) the responsibilities we assume, we estimate that our fee as bond counsel would be approximately \$14,000, including all expenses. Such fee and expenses may vary: (i) if the principal amount of Bonds actually issued differs significantly from the amount stated above, (ii) if material changes in the structure of the financing occur, or (iii) if unusual or unforeseen circumstances arise which require a significant increase in our time, expenses or responsibility. If at any time we believe that circumstances require an adjustment of our original fee estimate, we will consult with you. It is our understanding that the City is responsible for our fee.

If, for any reason, the financing is not consummated or is completed without the rendition of our opinion as bond counsel, we will expect to be compensated at our normal hourly rates for time actually spent, plus out-of-pocket expenses. Our fee is usually paid either at the Closing out of proceeds of the Bonds or pursuant to a statement rendered shortly thereafter. We customarily do not submit any statement until the Closing unless there is a substantial delay in completing the financing.

Limited Liability Partnership

Our firm is a limited liability partnership ("LLP"). Because we are an LLP, no partner of the firm has personal liability for any debts or liabilities of the firm except as otherwise required by law, and except that each partner can be personally liable for his or her own malpractice and for the malpractice of persons acting under his or her actual supervision and control. As an LLP we are required by our code of professional conduct to carry at least \$10,000,000 of malpractice insurance; currently, we carry coverage with limits substantially in excess of that amount. Please call me if you have any questions about our status as a limited liability partnership.

Ms. Maryanne A. Groat
August 9, 2024
Page 4

Conclusion and Request for Signed Copy

If the foregoing terms of this engagement are acceptable to you, please so indicate by returning a copy of this letter dated and signed by an appropriate officer, retaining the original for your files. If we do not hear from you within thirty (30) days, we will assume that these terms are acceptable to you, but we would prefer to receive a signed copy of this letter from you.

We are looking forward to working with you and the City in this regard.

Very truly yours,

QUARLES & BRADY LLP

Rebecca Speckhard/TAB

Rebecca A. Speckhard

RAS:JPL:TAB
#940025.00117

cc: Kaitlyn A. Bernarde (via email)
Kody Hart (via email)
Season Welle (via email)
Anne Jacobson, Esq. (via email)
Eric Lindman (via email)
Scott Boers (via email)
Thomas Niksich (via email)
Greg Schanen (via email)
Jacob P. Lichter (via email)
Tracy Berrones (via email)

Accepted and Approved:

CITY OF WAUSAU

By: _____

Its: _____

Title

Date: _____



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Fax 414.271.3552
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Milwaukee
Minneapolis
Naples
Phoenix
St. Louis
San Diego
Tampa
Tucson
Washington, D.C.

August 9, 2024

VIA EMAIL AND UPS

Ms. Maryanne A. Groat
Finance Director/Treasurer
City of Wausau
407 Grant Street
Wausau, WI 54403

Re: \$1,048,735 Water System Revenue Bonds, Series 2024B
(Safe Drinking Water Loan) - Closing Documents

Dear Ms. Groat:

Enclosed is one copy of each of the closing documents for this issue, as well as the Bond itself. Please arrange for each document to be signed by the officer whose name appears below the respective signatory line, and sealed where indicated.

The enclosed copy of Form 8038-G should be signed by the Mayor. It will be completed prior to the closing, and a copy will be filed with the Internal Revenue Service after the closing.

These closing documents contain certifications upon which we are relying in giving our opinion as to the validity and tax-exempt status of the Bonds. These certifications reflect information we have obtained from you or other transaction participants. Please review all of the certifications carefully and confirm that the information is correct. If you have questions about any of the certifications, please call us to discuss them.

Please return the executed documents by an overnight delivery service so that we receive them no later than **Friday, August 23**, so we can prepare the transcript of proceedings for the closing scheduled for Wednesday, September 11. If you have any questions regarding the enclosed, please give me a call.

Ms. Maryanne A. Groat

August 9, 2024

Page 2

Please also note that since the City entered into a continuing disclosure undertaking in connection with bonds or notes issued on or after February 27, 2019, the incurrence of this Safe Drinking Water Loan may constitute a material event of which notice must be posted on the EMMA website within 10 business days.

Very truly yours,

QUARLES & BRADY LLP

Rebecca Speckhard / TAB

Rebecca A. Speckhard

RAS:JPL:TAB

Enclosures

#940025.00117

cc: Kaitlyn A. Bernarde (w/enc. via email)
Kody Hart (w/enc. via email)
Season Welle (w/enc. via email)
Anne Jacobson, Esq. (w/enc. via email)
Eric Lindman (w/enc. via email)
Scott Boers (w/enc. via email)
Thomas Niksich (w/enc. via email)
Greg Schanen (w/enc. via email)
Phil Cosson (w/enc. via email)
Brian Roemer (w/enc. via email)
Aaron Heintz (w/enc. via email)
Katherine C. Miller (w/enc. via email)
Jessica Fandrich (w/enc. via email)
Rachel Liegel (w/enc. via email)
Andrea Ceron (w/enc. via email)
Amy Johnson (w/enc. via email)
Michelle Brietzman (w/enc. via email)
Jacob P. Lichter (w/enc. via email)
Tracy Berrones (w/enc. via email)

\$1,048,735
City of Wausau, Wisconsin
Water System Revenue Bonds, Series 2024B

CLOSING CERTIFICATE

Doug Diny, the Mayor, and Kaitlyn A. Bernarde, the City Clerk of the City of Wausau, Marathon County, Wisconsin (the "Municipality"), hereby certify as follows:

1. We are the duly qualified and acting Mayor and City Clerk of the Municipality and have been such at all times pertinent to the authorization and delivery of the "Water System Revenue Bonds, Series 2024B" of the Municipality (the "Bonds").
2. We have executed and sealed the negotiable, fully-registered Bonds. The Bonds are in the aggregate principal amount of \$1,048,735, are dated September 11, 2024, and are numbered from 1 upward. The Bonds mature in installments of principal due on May 1 of each of the years 2025 through 2044, and bear interest at a rate of 2.365% per annum. We were duly authorized to execute the same.
3. Attached in the Closing Transcript is a true and complete copy of a resolution entitled: "Resolution Authorizing the Issuance and Sale of Up to \$1,048,735 Water System Revenue Bonds, Series 2024B, and Providing for Other Details and Covenants With Respect Thereto" (the "Bond Resolution"). The Bond Resolution was duly adopted by the Common Council of the Municipality (the "Governing Body") on August 19, 2024. The Bond Resolution has not been repealed, amended or modified in any respect and remains in full force and effect today.
4. Attached in the Closing Transcript is a true and complete copy of the Certificate of Compliance with Open Meeting Law Public Notice Requirements with respect to the August 19, 2024 meeting of the Governing Body of the Municipality, evidencing compliance with Subchapter V of Chapter 19, Wisconsin Statutes.
5. Attached in the Closing Transcript is a true and complete copy of the part of the minutes of the August 19, 2024 meeting of the Governing Body wherein the Governing Body adopted the Bond Resolution.
6. Attached in the Closing Transcript is a true and complete copy of a sworn affidavit from an authorized representative of the official newspaper of the Municipality, in which a notice has been published pursuant to Section 893.77, Wisconsin Statutes, regarding the adoption of the Bond Resolution.
7. Attached in the Closing Transcript is a Specimen Bond. The signatures of Doug Diny, the Mayor, and Kaitlyn A. Bernarde, the City Clerk of the Municipality, are their respective true signatures, and the seal of the Municipality appearing on the Bonds is an accurate impression or facsimile of the seal of the Municipality.

8. Attached in the Closing Transcript is a true and complete copy of the Financial Assistance Agreement relating to the Bonds; said Financial Assistance Agreement has not been amended or modified in any respect and remains in full force and effect today.

9. The Municipality is a duly organized and existing municipal corporation of the State of Wisconsin.

10. There are no rules or resolutions in effect which require any officer or official of the Municipality, other than the Mayor and the City Clerk of the Municipality, to execute bonds of the Municipality.

11. Each meeting of the Governing Body or any committee of the Municipality at which the Bond Resolution was taken up was held at the place and time and called and notified in the manner routinely established by the Governing Body or such committee and proceeded in accordance with a written agenda; was notified to the public and news media and conducted in full compliance with the "open meeting" laws of the State of Wisconsin, and particularly Subchapter V, Chapter 19, Wisconsin Statutes; was held in a public, accessible place in the Municipality, with doors open at all times to the public; and no secret ballot was taken thereat; and no such meeting was commenced, subsequently convened in closed session and thereafter reconvened in open session, unless public notice of such subsequent open session was given at the same time and in the same manner as the public notice of the meeting convened prior to the closed session. All such meetings were fully lawful and in all respects in accordance with the rules of the Municipality. Each such meeting was a regular meeting or duly-called special meeting, held at the place in the Municipality, on the date and at the time and notified in the manner routinely established by rule of the Governing Body.

12. The meeting of the Governing Body was held on August 19, 2024, at which a quorum was present throughout. The Governing Body consists of 11 Alderpersons. At such meeting, the Bond Resolution was introduced by one of the Governing Body members in accordance with routinely established procedures of the Governing Body (all Governing Body members having full copies thereof in advance and adequate time to read and examine prior to adoption, and no member objecting); and, on motion duly made and seconded, duly adopted by the unanimous affirmative vote of the members present, upon an aye or no vote duly recorded in the Governing Body minutes.

13. The City Clerk of the Municipality has recorded a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in a separate record book as required by law. This record has been available for public inspection during normal business hours at the City Clerk's office in the Municipality and no person was denied the right to inspect or duplicate it.

14. We have reviewed the Additional Bonds Certificate, No Arbitrage Certificate, the Bond Resolution and the Form 8038-G, all appearing in the Closing Transcript, and to the best of our information and belief, all of the statements made in each respective document are true and correct.

15. No litigation is pending or, to our knowledge, threatened (i) to restrain or enjoin the issuance or delivery of any of the Bonds, or (ii) in any way contesting or affecting the validity of the Bonds or the Bond Resolution.

16. There is no litigation pending or, to our knowledge, threatened against the Municipality or involving any of the property or assets under the control of the Municipality that involves the possibility of any judgment or uninsured liability which may result in any material adverse change in the business, properties, assets or in the condition, financial or otherwise, of the Municipality or the Water System.

17. Neither the corporate existence nor boundaries of the Municipality nor the title of its present or former officers to their respective offices is being contested, and no authority or proceedings for the issuance of the Bonds have been repealed, revoked or rescinded. No petition has been filed requesting that the Bonds not be issued.

18. Based on our inquiry, information and belief, no part of the funds of the Municipality or the Water System derived from the issuance and sale of the Bonds shall inure to the benefit of or be distributable to any official of the Water System or of the Municipality, except for the lawful payment or compensation for services rendered and its lawful reimbursement of expenses incurred, and no loans shall be made, and no property or services shall be purchased or sold, leased or otherwise disposed of, to any such official as a result of the use of such funds by the Municipality or by the Water System.

19. Based on our inquiry, information and belief, no official of the Water System or of the Municipality has any private interest, direct or indirect, in any of the proceedings relating to the authorization, issuance and sale of the Bonds.

20. The Municipality is able to pay all of its current operating expenses in the usual course as they come due without need for special or exceptional tax levies.

21. The Bonds are payable only from and secured by a pledge of the income and revenues of the Water System of the Municipality; and do not constitute an indebtedness of the Municipality within any constitutional or statutory limitation.

22. There are no obligations outstanding payable from a pledge of the income and revenues of the Water System of the Municipality, other than the Municipality's Water System Revenue Bonds, Series 2017C, dated December 5, 2017, Water System Revenue Bonds, Series 2019D, dated October 1, 2019, Water System Revenue Bonds, Series 2020B, dated June 24, 2020, Water System Revenue Bonds, Series 2024, dated June 26, 2024, and the Bonds.

23. The Municipality is not in default on any borrowed money obligation.

24. The Municipality has received a disbursement of Bond proceeds from the State on the date of this Certificate, representing the purchase price of the Bonds as provided in the Bond Resolution.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the official seal of the Municipality as of September 11, 2024.

CITY OF WAUSAU, WISCONSIN

(SEAL)

By: _____
Doug Diny
Mayor

By: _____
Kaitlyn A. Bernarde
City Clerk

Exhibit A

Attachment to IRS Form 8038-G

**CITY OF WAUSAU
(E.I.N. 39-6005648)
WATER SYSTEM REVENUE BONDS, SERIES 2024B
DATED SEPTEMBER 11, 2024**

- Line 38a** Proceeds of another tax-exempt issue(s) issued by the State of Wisconsin (E.I.N. 39-6028867) may be used to make the initial or future disbursements of proceeds on this issue for nonrefunding purposes, but the date of such issue(s) and amount, if any, are unknown at this time.
- Line 38b** See above.
- Line 38c** See above.
- Line 38d** See above.

\$1,048,735
City of Wausau, Wisconsin
Water System Revenue Bonds, Series 2024B

ADDITIONAL BONDS CERTIFICATE

The undersigned City Clerk of the City of Wausau, Marathon County, Wisconsin (the "City") hereby certifies, in connection with the issuance of the City's Water System Revenue Bonds, Series 2024B, dated September 11, 2024 (the "Bonds"), that:

1. (a) Pursuant to a resolution adopted on November 14, 2017 (the "2017C Resolution"), the City issued its Water System Revenue Bonds, Series 2017C, dated December 5, 2017 (the "2017C Bonds"), and set certain conditions on the issuance of additional bonds on a parity with the 2017C Bonds (Section 7).

(b) Pursuant to a resolution adopted on September 10, 2019 (the "2019D Resolution"), the City issued its Water System Revenue Bonds, Series 2019D, dated October 1, 2019 (the "2019D Bonds"), and set certain conditions on the issuance of additional bonds on a parity with the 2019D Bonds (Section 7).

(c) Pursuant to a resolution adopted on June 9, 2020 (the "2020B Resolution"), the City issued its Water System Revenue Bonds, Series 2020B, dated June 24, 2020 (the "2020B Bonds"), and set certain conditions on the issuance of additional bonds on a parity with the 2020B Bonds (Section 11).

(d) Pursuant to a resolution adopted on June 11, 2024 (the "2024 Resolution"), the City issued its Water System Revenue Bonds, Series 2024, dated June 26, 2024 (the "2024 Bonds"), and set certain conditions on the issuance of additional bonds on a parity with the 2024 Bonds (Section 11). The 2017C Bonds, the 2019D Bonds, the 2020B Bonds and the 2024 Bonds shall collectively be referred to as the "Prior Bonds". The 2017C Resolution, the 2019D Resolution, the 2020B Resolution and the 2024 Resolution shall collectively be referred to as the "Prior Resolutions".

2. Such conditions are met in connection with the issuance of the Bonds, as follows:

(a) The Net Revenues (as defined in the Prior Resolutions) of the City's Water System for Fiscal Year 2023 were in an amount at least equal to the maximum annual interest and principal requirements (which is greater than the average combined principal and interest requirements) on the Prior Bonds and the Bonds (\$4,418,404) times 1.25 (\$5,523,005), as follows:

Gross Earnings:	\$10,260,283
Less Current Expenses:	<u>4,680,339</u>
Net Revenues:	\$ 5,579,944

1.25 is the highest debt service coverage ratio to be required with respect to the Prior Bonds and the Bonds (which are the only obligations payable from the revenues of the Water System currently outstanding).

(b) The payments required to be made into the funds and accounts enumerated in Section 4 of the 2017C Resolution and the 2019D Resolution and Section 6 of the 2020B Resolution and the 2024 Resolution have been made in full.

(c) The Resolution authorizing the Bonds provides that the Bonds shall mature on May 1 of each year and that interest thereon is payable semiannually on May 1 and November 1 of each year.

(d) The Bonds are not secured by the Reserve Account securing the 2017C Bonds and the 2019D Bonds.

(e) The proceeds of the Bonds will be used only for the purpose of providing additions, extensions and improvements to the Water System.

Dated September 11, 2024.

CITY OF WAUSAU, WISCONSIN

Kaitlyn A. Bernarde
City Clerk

IN WITNESS WHEREOF, the SDWLP and the Municipality have caused this FAA to be executed and delivered, as of the date and year first written above.

CITY OF WAUSAU

By: _____
Doug Diny
Mayor

Attest: _____
Kaitlyn A. Bernarde
Clerk

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

By: _____
Authorized Officer

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By: _____
Authorized Officer

\$1,048,735
City of Wausau, Wisconsin
Water System Revenue Bonds, Series 2024B

NO ARBITRAGE CERTIFICATE

The undersigned officers of the City of Wausau, Marathon County, Wisconsin (the "Municipality") hereby certify as follows with regard to the Municipality's issuance of up to \$1,048,735 Water System Revenue Bonds, Series 2024B, dated September 11, 2024 (the "Bonds").

I. IN GENERAL

1.1 Authority. The undersigned are officers of the Municipality charged by law and a resolution adopted by the Common Council of the Municipality on August 19, 2024 authorizing the issuance of the Bonds (the "Bond Resolution") with responsibility for issuing the Bonds and are acting for and on behalf of the Municipality in executing this Certificate.

1.2 Nature of Certificate. This Certificate accompanies the transcript of proceedings for the issuance of the Bonds and describes the Municipality's reasonable expectations as of this date, regarding the amount and use of the proceeds of the Bonds (the "Bond Proceeds").

1.3 Date of Certificate. This Certificate is made as of the date of issue, that is, the date on which there is a physical delivery of some or all of the Bonds in exchange for an amount of the purchase price for the Bonds exceeding the lesser of \$50,000 or five percent of the issue price of the Bonds.

II. PURPOSE

2.1 Governmental Purpose. The Bonds are being issued for the governmental purpose of constructing improvements and extensions to the water system (the "Water System") of the Municipality, consisting of construction of a project (the "Project") assigned Safe Drinking Water Loan Program Project No. 4930-15 by the Department of Natural Resources, and as described in the Department of Natural Resources approval letter for the plans and specifications under Section 281.41 of the Wisconsin Statutes, assigned Number W-2023-0651 and dated September 11, 2023 by the DNR.

2.2 Issuance Costs. \$14,000 of the proceeds of the Bonds will be used to pay issuance costs with respect to the Bonds.

2.3 New Money Proceeds. The balance of the proceeds (the "New Money Proceeds") will be used to pay the costs of the Project and to pay administrative expenses related to the Project.

2.4 No Replacement Proceeds. The Bonds are not being issued to replace any proceeds of an earlier issue of governmental obligations that were not expended on the project

for which such earlier issue was intended. Neither the Municipality or any related party of the Municipality has or is reasonably expected to have any monies (other than sale proceeds or investment proceeds of the Bonds) that (i) could be used for the governmental purposes for which the Bonds are being issued and (ii) are not reasonably expected to be used for other purposes.

2.5 Not a Tax Anticipation Note. The Bonds are not being issued in anticipation of taxes or other revenues, such as tolls, fees, grants or awards.

2.6 No Abusive Arbitrage Device. In connection with the issuance of the Bonds, the Municipality has not and will not engage in any transaction or series of transactions (i) enabling the Municipality to exploit the difference between tax-exempt and taxable interest rates to gain a material financial advantage, or (ii) increasing the burden on the market for tax-exempt obligations in any manner including, without limitation, by selling Bonds that would not otherwise be sold or selling more Bonds, or issuing them sooner, or allowing them to remain outstanding longer, than would otherwise be necessary to accomplish the governmental purposes of the Bonds. No device has been employed in connection with the issuance of the Bonds to obtain a material financial advantage (based on arbitrage) apart from savings attributable to lower interest rates.

2.7 No Other Obligations. There are no other obligations of the Municipality which (a) have been or will be sold within 15 days of the date of sale of the Bonds; (b) are sold pursuant to the same plan of financing together with the Bonds; and (c) are reasonably expected to be paid out of substantially the same source of funds as the Bonds.

2.8 Covenant. The Municipality will not make or permit any use of the Bond Proceeds which, if such use had been reasonably expected on the date of issuance of the Bonds, would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable income tax regulations (the "Regulations"), and hereby further covenants that it will observe and not violate the requirements of Section 148 of the Code or any applicable Regulations.

III. PROCEEDS AND FUNDS

3.1 Disposition of Proceeds. For tax purposes, the Bonds are considered issued on the date hereof because an amount of Bond Proceeds exceeding the lesser of \$50,000 or five percent (5%) of the Bond Proceeds is to be advanced on the date hereof pursuant to the Financial Assistance Agreement to either (i) reimburse the Municipality for Project expenses previously paid in anticipation of the receipt of Bond Proceeds or (ii) pay, within three days of the date hereof, invoices previously received for Project costs. Subsequent advances of Bond Proceeds shall be made, in an aggregate amount which, after adding the first advance, does not exceed the face amount of the Bonds. Such subsequent advances will be applied either to (i) reimburse the Municipality for Project expenses previously paid in anticipation of the receipt of Bond Proceeds or (ii) pay Project invoices, as specified earlier, within three days of the date of receipt of such funds. Prior to the payment of Project invoices, the proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Water System SDWLP Project Fund." The Water System SDWLP Project Fund shall be used solely for the purpose of paying

the costs of the Project as described above and in the Financial Assistance Agreement relating to the Project dated September 11, 2024. Moneys in the Water System SDWLP Project Fund shall be disbursed within three business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

3.2 Not an Overissuance. The total cost of the Project is expected to be greater than the principal sum of the Bonds. The net amounts received by the Municipality allocable to the Project will not exceed the aggregate amount necessary for the Project.

3.3 Project Expenditures; No Payments to Related Parties. All New Money Proceeds shall be used solely to pay costs of the Project. The Municipality reasonably expects that 100% of the New Money Proceeds will be allocated to expenditures on the Project during a 3-year period beginning on the date of delivery of the Bonds. No New Money Proceeds will be allocated to any payment to a related party to the payor.

3.4 Substantial Binding Obligations. The Municipality has incurred substantial binding obligations to third parties (which are not subject to a contingency within the control of the Municipality or of a related party of the Municipality) to expend at least 5% of the New Money Proceeds on the Project.

3.5 Work or Acquisition Will Proceed with Due Diligence. The Municipality expects that work on or acquisition of the Project will proceed with due diligence to completion, and that the allocation of the New Money Proceeds to expenditures on the Project will proceed with due diligence.

3.6 Project Not to be Sold. The Project will not be sold or otherwise disposed of, in whole or in part, prior to the last maturity of the Bonds.

3.7 Debt Service Fund. Revenues of the Water System collected for payment of principal and interest on the Bonds will be deposited when received into a sinking fund, as required by law, and amounts therein may only be used to pay principal and interest on the Bonds and other outstanding revenue bonds of the Municipality. The sinking fund, designated the "Debt Service Fund," for the Bonds is used primarily to achieve a proper matching of revenues and principal and interest payments within each year. Based on the debt service requirements of the Bonds and the expected dates of collection of revenues to pay such debt service, the Municipality expects that (i) the Debt Service Fund will be depleted at least once each year except for a reasonable carry-over amount which is not expected to exceed the greater of (a) the earnings from the investment of the Debt Service Fund for the immediately preceding bond year, or (b) 1/12 of the principal and interest payments on the Bonds and other outstanding revenue bonds for the immediately preceding bond year; (ii) amounts deposited in the Debt Service Fund will only be invested for a period less than 13 months (assuming a first-in-first-out method of accounting for deposits to the Debt Service Fund); and (iii) all earnings from the investment of the Debt Service Fund will be invested for a period not to exceed one year before being expended for payment of debt service on the Bonds. The Municipality has not established and does not expect to establish any other sinking fund or similar fund with respect to the Bonds. There are no other funds which are reasonably expected to be used to pay principal or interest on the Bonds or which are pledged to secure the Bonds.

3.8 No Bond Insurance. No premiums have been paid or will be paid to insure the Bonds.

3.9 No Reserve Fund. No reserve or replacement fund has been or will be established with regard to the Bonds.

3.10 Trade or Business. Not more than ten percent (10%) of either the proceeds of the Bonds or the Project is to be used (directly or indirectly) in a trade or business carried on by any person (other than a governmental unit), and not more than ten percent (10%) of the payment of the Bonds is (directly or indirectly): (i) secured by any interest in property used or to be used for a trade or business or payments in respect of such property; or (ii) derived from payments (whether or not to the Municipality) in respect of property or borrowed money, used or to be used for a trade or business. Not more than five percent (5%) of either the proceeds of the Bonds or the Project is to be or has been used (directly or indirectly) for any trade or business carried on by any person (other than a governmental unit) which is not related to any governmental use of such proceeds or of the Project, and not more than five percent (5%) of the payment of the principal of, or interest on, the Bonds is (directly or indirectly): (a) secured by any interest in property used or to be used for a trade or business or payments in respect of such property; or (b) derived from payments (whether or not to the Municipality) in respect of property or borrowed money, used or to be used in a trade or business. None of the proceeds of the Bonds will be used (directly or indirectly) to make or finance loans to persons other than governmental units. All users of the Municipality's Water System have access to and use the System, and pay charges for use of the System, on the same basis as all other members of the general public.

IV. REBATE

4.1 Rebate. The Municipality shall comply with the requirements of Section 148(f) of the Code, and applicable regulations thereunder, including Reg. §§ 1.148-1 through 1.148-11 as provided in the Bond Resolution. Because the Municipality will not invest the Bond Proceeds in anything other than a non-interest bearing checking account, and will disburse all Bond Proceeds received as described in Section 3.1 above, the Municipality will not earn a yield in excess of the Bond yield and is therefore anticipated to have no rebate liability. In addition, the Municipality reasonably anticipates that all Bond Proceeds will be disbursed within the time periods set forth in Section 148(f)(4) of the Code. Further, the Municipality has covenanted in the Bond Resolution that, unless the Bonds are exempt from the rebate requirement of the Code, it will establish a Rebate Fund and calculate and pay to the United States any rebate amount payable with respect to the Bonds.

4.2 Records. The Municipality shall maintain or cause to be maintained records of such determinations for each computation period until six (6) years after payment in full of the Bonds and shall make such records available upon reasonable request therefor.

V. OTHER TAX MATTERS

5.1 No Federal Guarantee. Except as permitted under Section 149(b)(3) of the Code, (a) the payment of principal of or interest with respect to the Bonds will not be guaranteed, either directly or indirectly, in whole or in part, by the United States or any agency or instrumentality

thereof, and (b) none of the proceeds of the Bonds will be (i) used in making loans the payment of principal or interest with respect to which are to be guaranteed, in whole or in part, by the United States or any agency or instrumentality thereof, or (ii) invested directly or indirectly in federally insured deposits or accounts.

5.2 Not Hedge Bonds. None of the proceeds of the Bonds will be invested in nonpurpose investments having a substantially guaranteed yield for a period of four years or more.

5.3 Reimbursement. Any expenditures already paid by the Municipality prior to the date hereof for which the Municipality is to be reimbursed with proceeds of the Bonds (a) were paid no earlier than 60 days prior to June 13, 2023, the date on which the Municipality adopted resolutions, true and correct copies of which are attached hereto in the Closing Transcript, stating its expectation to reimburse itself from the proceeds of the Bonds for any expenditures relating to the Project which it paid from other funds of the Municipality prior to receipt of the proceeds of the Bonds or (b) are preliminary expenditures relating to the Project (such as architectural, engineering, surveying, soil testing and similar costs that are incurred prior to commencement of acquisition, construction, or rehabilitation of a project, other than land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the aggregate issue price of the Bonds and any other issues that finance or are reasonably expected to finance the Project. The Project has not been placed in service as of the date hereof. Proceeds of the Bonds in an amount equal to the amount of expenditures on the Project which have been paid from other funds of the Municipality prior to the date hereof are hereby allocated to the reimbursement of those original expenditures.

5.4 Average Maturity. The term of the Bonds is no longer than reasonably necessary for the governmental purposes of the issue. The weighted average maturity of the Bonds (10.913 years) does not exceed 120% of the average reasonably expected economic life of the Project.

5.5 Form 8038-G. To the best of the Municipality's knowledge and belief, the information contained in the Information Return (Form 8038-G) attached in the transcript is complete and accurate.

VI. CONCLUSION

6.1 Expectations are Reasonable. To the best of our knowledge and belief, there are no other facts, estimates or circumstances that would materially change any of the Municipality's expectations as to future events described in this Certificate, and said expectations are reasonable.

IN WITNESS WHEREOF, we have set our hands as of September 11, 2024.

CITY OF WAUSAU, WISCONSIN

By: _____
Doug Diny
Mayor

By: _____
Kaitlyn A. Bernarde
City Clerk

REGISTERED
NO. 1

UNITED STATES OF AMERICA
STATE OF WISCONSIN
MARATHON COUNTY
CITY OF WAUSAU

REGISTERED
\$1,048,735

WATER SYSTEM REVENUE BOND, SERIES 2024B

Final
Maturity Date

May 1, 2044

Date of
Original Issue

September 11, 2024

REGISTERED OWNER: STATE OF WISCONSIN SAFE DRINKING WATER LOAN
PROGRAM

FOR VALUE RECEIVED the City of Wausau, Marathon County, Wisconsin (the "Municipality") hereby acknowledges itself to owe and promises to pay to the registered owner shown above, or registered assigns, solely from the fund hereinafter specified, the principal sum of an amount not to exceed ONE MILLION FORTY-EIGHT THOUSAND SEVEN HUNDRED THIRTY-FIVE DOLLARS (\$1,048,735) (but only so much as shall have been drawn hereunder, as provided below) on May 1 of each year commencing May 1, 2025 until the final maturity date written above, together with interest thereon (but only on amounts as shall have been drawn hereunder, as provided below) from the dates the amounts are drawn hereunder or the most recent payment date to which interest has been paid, at the rate of 2.365% per annum, calculated on the basis of a 360-day year made up of twelve 30-day months, such interest being payable on the first days of May and November of each year, with the first interest being payable on May 1, 2025.

The principal amount evidenced by this Bond may be drawn upon by the Municipality in accordance with the Financial Assistance Agreement entered by and between the Municipality and the State of Wisconsin by the Department of Natural Resources and the Department of Administration including capitalized interest transferred (if any). The principal amounts so drawn shall be repaid in installments on May 1 of each year commencing on May 1, 2025 in an amount equal to an amount which when amortized over the remaining term of this Bond plus current payments of interest (but only on amounts drawn hereunder) at Two and 365/1000ths percent (2.365%) per annum shall result in equal annual payments of the total of principal and the semiannual payments of interest. The State of Wisconsin Department of Administration shall record such draws and corresponding principal repayment schedule on a cumulative basis in the format shown on the attached Schedule A.

Both principal and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. On the final maturity date, principal of this Bond shall be payable only upon presentation and surrender of this Bond at the office of the Municipal Treasurer. Principal hereof and interest hereon shall be payable by electronic transfer or by check or draft dated on or before the applicable payment date (as directed by the registered owner) and if by check or draft, mailed from the office of the Municipal Treasurer to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding such interest payment date.

This Bond shall not be redeemable prior to its maturity, except with the consent of the registered owner.

This Bond is transferable only upon the books of the Municipality kept for that purpose at the office of the Municipal Treasurer, by the registered owner in person or its duly authorized attorney, upon surrender of this Bond, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Municipal Treasurer, duly executed by the registered owner or its duly authorized attorney. Thereupon a replacement Bond shall be issued to the transferee in exchange therefor. The Municipality may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. This Bond is issuable solely as a negotiable, fully-registered bond, without coupons, and in denominations of \$0.01 or any integral multiple thereof.

This Bond is issued for the purpose of providing for the payment of the cost of constructing improvements to the Water System of the Municipality, pursuant to Article XI, Section 3, of the Wisconsin Constitution, Section 66.0621, Wisconsin Statutes, and a resolution adopted August 19, 2024, and entitled: "Resolution Authorizing the Issuance and Sale of Up to \$1,048,735 Water System Revenue Bonds, Series 2024B, and Providing for Other Details and Covenants With Respect Thereto" and is payable only from the income and revenues of the Water System of the Municipality (the "Utility"). The Bonds are issued on a parity with the Municipality's Water System Revenue Bonds, Series 2017C, dated December 5, 2017, Water System Revenue Bonds, Series 2019D, dated October 1, 2019, Water System Revenue Bonds, Series 2020B, dated June 24, 2020 and Water System Revenue Bonds, Series 2024, dated June 26, 2024, as to the pledge of income and revenues of the Utility. This Bond does not constitute an indebtedness of said Municipality within the meaning of any constitutional or statutory debt limitation or provision.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said Municipality from the operation of its Utility has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be signed by the signatures of its Mayor and City Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

CITY OF WAUSAU,
WISCONSIN

(SEAL)

By: _____
Doug Diny
Mayor

By: _____
Kaitlyn A. Bernarde
City Clerk

ASSIGNMENT

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

(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing

Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

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

Signature(s) guaranteed by

SCHEDULE A

\$1,048,735

CITY OF WAUSAU, WISCONSIN
WATER SYSTEM REVENUE BONDS, SERIES 2024B

<u>Amount of Disburse- ment</u>	<u>Date of Disbursement</u>	<u>Series of Bonds</u>	<u>Principal Repaid</u>	<u>Principal Balance</u>

SCHEDULE A (continued)

PRINCIPAL REPAYMENT SCHEDULE

<u>Date</u>	<u>Principal Amount</u>
May 1, 2025	\$41,615.86
May 1, 2026	42,600.07
May 1, 2027	43,607.57
May 1, 2028	44,638.89
May 1, 2029	45,694.60
May 1, 2030	46,775.27
May 1, 2031	47,881.51
May 1, 2032	49,013.90
May 1, 2033	50,173.08
May 1, 2034	51,359.68
May 1, 2035	52,574.33
May 1, 2036	53,817.72
May 1, 2037	55,090.51
May 1, 2038	56,393.40
May 1, 2039	57,727.10
May 1, 2040	59,092.35
May 1, 2041	60,489.88
May 1, 2042	61,920.46
May 1, 2043	63,384.88
May 1, 2044	64,883.94

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

**JOINT RESOLUTION OF THE PUBLIC HEALTH AND SAFETY
AND HUMAN RESOURCES COMMITTEE**

Recommending approval of the proposed restructuring of the animal control program within the Wausau Police Department.

Committee Action: Public Health and Safety 4-1
Human Resources 3-2

Fiscal Impact: None

File Number: 24-0813

Date Introduced: August 19, 2024

FISCAL IMPACT SUMMARY

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

RESOLUTION

WHEREAS, at the beginning of 2024, the Everest Metro Police Department chose not to renew their contract with the City of Wausau for animal control services; and

WHEREAS, this non-renewal resulted in a loss of \$16,800 in the 2024 animal control program budget; and

WHEREAS, as a result of the loss of budget, the police department and the clerk's office were tasked with re-evaluating the current animal control program; and

WHEREAS, the re-evaluation revealed the following:

- That the current animal control program was created in 2013 with a primary purpose to relieve patrol officers of the burden of responding to animal-related calls, and that purpose has not been met under the current structure; and
- That the 2013 goal that the cost of the animal control program would be covered by the pet licensing costs was not achieved; and
- That the current program modeled after a single employee working regular business hours cannot sufficiently complete the work required of the position; and
- That the current program does not properly serve the public given there is a gap in services and patrol officers are still carrying much of the burden of responding to animal-related calls for

service; and

WHEREAS, the animal control program restructure recommendation is a reasonable and fiscally responsible means to deliver the animal control services more effectively and more broadly as well as stay budget neutral; and

WHEREAS, the proposed model establishes a team approach that mitigates the current gap in services; and

WHEREAS, the proposed model to use part-time non-sworn officers would allow for up to 60 hours per week of animal control services which would include evening and weekend shifts; and

WHEREAS, the part-time non-sworn officers would be required to obtain Humane Officer certification through the state as well as other training required by the Wausau Police Department; and

WHEREAS, the proposed model will expand capacity and attention to pet licensing compliance and enforcement; and

WHEREAS, the proposed model is a budget neutral restructure which would expand overall capacity and efficiency of animal control and welfare service delivery to the public, as well as capacity for enforcement of a variety of municipal ordinances pertaining to quality-of-life concerns in the community; and

WHEREAS, the proposed model would result in the current employee's termination. Thus, to give the employee adequate time to find replacement employment, the current program would terminate in October 2024 when the 2024 budget expires. The new program would start in January 2025; and

WHEREAS, on May 20, 2024, the Public Health and Safety Committee, after hearing the presentation regarding the proposed restructure of the current animal control program within the police department, recommended the proposal be sent to the Human Resources Committee for consideration; and

WHEREAS, on June 10, 2024, the Human Resources Committee, after hearing the presentation regarding the current model and the proposed restructure of the animal control program, requested more information regarding the required qualifications for the humane officer position at the outset of the program; and

WHEREAS, on July 8, 2024, after receiving the requested information, the Human Resources Committee voted 2-2 to send the animal control program restructure proposal to the Common Council for approval; and

WHEREAS, on August 12, 2024, the matter was placed back on the Human Resources Committee for a revote, and the Committee recommended the proposal be submitted to the Common Council for consideration; and

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Wausau that the current animal control program expire in October 2024 when the budget terminates and be restructured starting January 2025 to the model proposed using multiple part-time officers to provide up to 60 hours of animal control services to include evenings and weekends as opposed to using a single employee to

provide 40 hours of services during business hours.

Approved:

Doug Diny, Mayor

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

DATE/TIME: June 10, 2024, at 4:45 p.m.

LOCATION: City Hall (407 Grant Street) – Council Chambers

MEMBERS PRESENT: Becky McElhaney (C), Terry Kilian (VC), Gary Gisselman, Michael Martens

MEMBERS ABSENT: Vicki Tierney

Also Present: Kaitlyn Bernarde, Captain Nathan Cihlar, Tegan Troutner

The meeting of the Human Resources Committee was called to order by McElhaney.

Discussion and Possible Action to Restructure the City of Wausau Animal Control Program.
McElhaney said that this item was tabled last month to bring back information on the qualification requirements included in the original job description for the Human Officer position. McElhaney asked if there were any questions regarding the qualifications or any questions regarding the proposed restructuring of the animal control program.

Motion by Martens to approve the proposed restructure of the animal control program. Second by McElhaney.

Kilian said that the proposal was well thought out. She reached out to several professionals from area veterinarian clinics for their views on what is needed to handle animals, and all felt that it is necessary to have more than a 40-hour certification to be able to adequately handle animals.

Gisselman had questions about the training and appointing of a Humane Officer according to the Wisconsin Department of Consumer Trade and Protection. Troutner clarified that, though the City has a position called a Humane Officer, it does not have the same requirements as Gisselman outlined and is not an appointed position. The proposed program would replace the full-time Humane Officer position with part-time positions. Cihlar provided more information about the 40-hour training, training provided by and partnership with the Humane Society of Marathon County for staff, and current animal handling by the department. Cihlar said that they have had discussions with the Humane Society, the Sheriff's Department, and neighboring law enforcement about the proposed program and working together in the future to provide a more beneficial program.

Gisselman asked about the length of employment for the CSO's and how the department plans to handle training if the CSO's do not stay on long. Cihlar said that they have several CSO's who have been with the department for several years and if the CSO's become Police Officers, they would be a resource for others down the road.

Kilian asked how the department could handle animals without someone who has training and experience. Cihlar said the Police Officers and CSO's respond to anywhere from 500 to 800 animal calls per year and average 1 injury per year (minor scratches or bites requiring a band aid and no lost time).

Gisselman asked if this item needed to go to the Finance Committee. McElhaney said it is budget neutral, so it does not need to go to Finance, only to Council.

Troutner clarified that the current budget for this program will end in October of this year, and the program would restart in January of 2025. McElhaney asked what will happen between October

and January. Chief Barnes said that the department would suspend the program but continue to respond to calls as they have all year long. Barnes said they would like to onboard three individuals to start in early 2025. Gisselman said he feels the City is losing the professional aspect of the program. Barnes said that the department would never send anyone out to calls who they aren't confident can handle the duties and believes that the proposed program is going to provide a better service to the community at a lesser cost. The level of training needed to be successful will be provided along with training and partnerships from others such as the Humane Society and Sheriff's Department. Barnes said the program does not currently work because it was built around a single employee. Barnes said the City can continue as-is and ask the Finance Committee for additional funding, or it can approve the new model. Kilian said she thinks the City could come up with additional money to keep the Human Officer position.

Martens said that he agrees with hiring multiple part-time people to allow for more coverage and flexible scheduling. McElhaney shared her experience as a citizen member when the City first began to look at an animal control program and her experience as an alder taking calls from citizens related to animal matters. McElhaney said she is looking at this as an animal control program and after talking with the department and reviewing all the data presented, she will support the proposed program because she believes the community will receive a better service. Kilian proposed using CSO's during the time the Human Officer is not working.

The committee voted on a motion to approve the proposed restructuring of the animal control program. Vote 2-2 (Kilian and Gisselman were the dissenting votes). Item will go to Council.

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, May 20, 2024, at 5:15 p.m., Council Chambers

Members Present: Lisa Rasmussen (C), Lou Larson (VC), Becky McElhaney, Sarah Watson, Carol Lukens

Others Present: Mayor Diny, Matt Barnes, Jeremy Kopp, Todd Baeten, Nathan Cihlar, Tracy Rieger, Tegan Troutner, James Henderson, Kaitlyn Bernarde, Kody Hart, Alder Gisselman

Noting the presence of a quorum Chairperson Rasmussen called the meeting to order at 5:15 p.m.

Presentation on the Current Animal Control Program and 2025 Proposed Model.

Rasmussen questioned the animal licensing citation trends between 2013, when the program was created, and current day. It was further stated by Rasmussen that citations increased in 2020 but has dropped off in recent years. It was stated that citations slowly increased since the start of the program and compliance had also increased but has also since dropped off in recent years.

Rasmussen stated the goal of the program was to relieve the pressure of patrol officers to respond to animal related issues and that currently patrol officers are involved so much of the time. It was also stated the community resource officers have been involved in inspections compliance operations and could be involved in animal compliance operations as well. Rasmussen questioned if this would be in place for the 2025 fiscal year. The program in its current format runs out of funding in October of this year and the proposed model, if approved, would be included in the budget of 2025. It was further stated that the current workload and volume of animal related calls during nights and weekends is not conducive to a weekday 9-5 humane officer and a change should make the service more available.

McElhaney stated the fees for licensing was increased to fund this position with a positive outlook of animal-owning residents and that with the increased fees the city must provide the service that was offered.

Without objection, public comment was provided.

- 1) Judy Lombard, 149988 Skylark Lane, Wausau, WI 54401 – spoke in opposition of the proposed model.
- 2) Ashlee Bishop, current Humane Officer with the Wausau Police Department – spoke in opposition for the proposed model.

Rasmussen questioned if community resource officers would be specifically trained on animal handling. It was stated that the job training would be provided which would accompany a higher pay rate. Rasmussen stated that the Human Resources Committee should discuss how to restructure this program in terms of job description and pay allotment.

Larson stated this may not be a step forward and stated support for bringing on additional community service officers while retaining the current humane officer. It was stated that other municipalities that are successful with the proposed model distribute the institutional knowledge across multiple supervisors within the department which this model would achieve.

Motion by McElhaney, seconded by Watson, to recommend discussion in the Human Resources Committee to review this model and make a recommendation to the full council on the animal control program. Motion carried 4-1, with Larson opposed.

Larson stated the vote in opposition was on the basis of wanting to explore how the current humane officer would fit into a new model.



**Pilot period for Community Service Officer (CSO)-delivered Animal Control services
UPDATED DATA**

Wausau Police Department / June 1 - August 9, 2024 (10 weeks)

- Humane Officer position remained out-of-service for this duration.
 - o Employee on approved leave from regular duty.
- Part-time/summer CSOs; 2 assigned daily to focus on Animal Control services:
 - o Varied hours, with evenings and weekends coverage.
 - o Approx. 55 hours per week combined, allocated to Animal Control services.
 - o Often worked together as a pair (single unit/vehicle).
 - o First-responders for Calls-for-Service (**CFS**) and conducting licensing contacts.
 - o These CSOs also assisted with other CFS types in downtime.
 - i.e., Abandoned bikes, found property, other misc. complaints.
 - o Zero animal-related injury incidents for CSOs & Patrol.
 - o Increase in pet license follow-up contacts.
- **“Animal Complaint”** CFS dispatched for Wausau PD:
 - o June 1 – August 9, 2024: 257 total
 - Patrol response - 76 **(30%)**
 - CSO response - 179 **(70%)**
 - o Positive impact on ratio of Patrol response, when compared to past annual data:
 - **“Animal Complaint”** CFS capture:
 - 2022 (12 months): Primary responder – 43% Patrol, 33% H.O., 24% CSO
 - 2023 (12 months): Primary responder – 35% Patrol, 26% H.O., 39% CSO
- **“Lost and Found”** CFS, involving stray/found cats & dogs dispatched for Wausau PD:
 - o June 1 – August 9, 2024: 110 total
 - Patrol response - 34 **(31%)**
 - CSO response – 76 **(69%)**
 - o Positive impact on ratio of Patrol response, when compared to past annual data:
 - **“Lost and Found”** CFS capture (involving animals):
 - 2023 (12 months): 48% Patrol, 18% H.O., 34% CSO
 - 2022 (12 months): 41% Patrol, 33% H.O., 26% CSO



JOB DESCRIPTION

Community Service Officer II

Job Title:	Community Service Officer II	Reports To:	Lieutenant - Administration
Department:	Police	FLSA Status:	Non Exempt
Division:	Administrative Bureau	EEO Code:	4-Protective Services
Salary Grade:	PT	Occupational Code:	9100
Employee Group:		Training Category:	D-Staff
Created:		Last Revision:	June 2024

This description is not an announcement of a position opening. To view current openings please visit wausau.gov. The following statements are intended to describe, in broad terms, the general functions and responsibility levels characteristic of positions assigned to this classification. They should not be viewed as an exhaustive list of the specific duties and prerequisites applicable to individual positions that have been so classified.

Purpose of the Position

The purpose of this position is to assist the Wausau Police Department with enforcement of City Ordinances with priority on ordinances related to the control of animals. With presence in the community as a non-sworn officer, the employee has a significant impact on the quality of life through ordinance compliance and enforcement activities, developed relationships with community partners, and role as a first-responder for animal-related calls for service.

Essential Duties and Responsibilities

1. Provides mobile presence in neighborhoods in assigned vehicle; proactively addresses animal-related ordinance violations encountered (i.e., animals at-large) and acquires awareness of residences that house animals.
2. Responds to calls for service involving stray animals, animal bites, noise complaints, concern for animal welfare and/or complaints of non-compliance; issues citations for violations.
3. Checks compliance and enforces ordinances of the City of Wausau Municipal Code related to nuisance abatement, to mitigate quality-of-life concerns in the community; issues citations for violations.
4. Conducts animal capture and transport independently, and in assistance to sworn Officers' investigations.
5. Provides courteous and tactful customer service in citizen interactions, and advises animal owners on responsible pet ownership in alignment with the City's ordinances.
6. Assists the department in public promotion activities regarding pet licensing, responsible pet ownership, vaccinations, and rabies control. Supports public education efforts of the Humane Society of Marathon County.
7. Responds to non-emergency calls for service as otherwise assigned and provides assistance as necessary.
8. Operates a department-owned vehicle in normal non-emergency mode, day and night conditions, and during times of inclement weather and congested traffic.
9. Cleans and disinfects kennel areas, vehicles and equipment.
10. Maintains working knowledge of City of Wausau Ordinances as well as current procedures.
11. Prepares written documentation of activities.
12. Assists sworn Officers, community members, and other city employees in problem-solving.
13. Maintains City of Wausau core values.

Additional Duties and Responsibilities

- Perform various other special assignments as assigned by supervisor.

Education and Experience Requirements

Candidates must be a United States Citizen and at least eighteen (18) years old. A high school diploma or equivalent is required. Applicants must possess and maintain an acceptable driving record and a valid Wisconsin driver's license.

Completion of Humane Officer training and certification from the Wisconsin Department of Agriculture, Trade and Consumer Protections is required within 1 year of hire. Following two years of being certified as a Humane Officer, completion of 32 hours of continuing education is required for re-certification.

Knowledge, Skills and Abilities

- Ability to read, interpret and explain City of Wausau ordinances.
- Ability to communicate effectively orally and in writing with citizens, co-workers, supervisors, and others.
- Ability to operate equipment and machinery requiring simple but continuous adjustments, such as computer, police radio, and telephone.
- Skills to effectively operate computer systems for a variety of tasks.
- Obtain and maintain considerable knowledge of animal-related ordinances, animal-handling safety practices and capture equipment.
- Ability to coordinate eyes, hands, feet and limbs in performing semi-skilled movements such as self-defense, operation of a motor vehicle, data entry and assembling.
- Ability to sit, stand, walk, use hands and fingers to handle or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, kneel, or crouch.
- Ability to run, jump, push, pull, and drive safely in adverse conditions.
- Ability to recognize and identify similarities or differences between characteristics of colors, forms, sounds, tastes, odors and textures associated with job-related objects, materials and tasks.
- Ability to use discretion effectively to determine a proper course of action consistent with a community-oriented, problem-solving approach to policing.
- Ability to establish and maintain effective working relationships with those contacted in the course of employment.

Physical and Working Environment

The primary work setting involves operating a vehicle, working on the scene of animal control situations, transporting animals, and handling animals while at the designated animal shelter. Incumbents are exposed to loud noises and unpleasant sights, sounds, and odors when handling animals that are stray, injured, diseased, and dangerous. Incumbents may also be exposed to animal carcasses. Must be able to move animals or objects weighing up to 100 lbs. A majority of work occurs in the field which frequently includes working irregular hours, evenings and weekends as required.

Regular exposure to disagreeable and environmental conditions. Exposed to one or more particularly disagreeable elements such as continuous high noise level, considerable dust, heat, and humidity. Personal protective equipment regularly used. Regular travel.

Close mental and visual attention is continuously required. Moderate physical demands typically found in trades work with moderate exposure to workplace hazards. Requires regular lifting, bending, twisting, turning, and use of power equipment.

Acknowledgement

All requirements of the described position are subject to change over time. The employee may be required to perform other duties as requested by the City.

Signature of Department Director: _____ Date: _____

I acknowledge that this job description is neither an employment contract nor a legal document. I have received, read, and understand the expectations for the successful performance of this job.

Printed Name: _____ Signature: _____ Date: _____

The City of Wausau is an Equal Opportunity Employer. In compliance with the American with Disabilities Act, the City will provide reasonable accommodations to qualified individuals and encourages both prospective and current employees to discuss potential accommodations with the employer.

Wausau Police Department

Community Service Officer (CSO II) Training Program

Ensuring newly selected Community Service Officers acquire the competencies to perform the job function with excellence.



WAUSAU POLICE DEPARTMENT

CSO II TRAINING PROGRAM

Purpose

The purpose of the Community Service Officer training program is to ensure newly selected Community Service Officers possess the competencies to perform the job function with excellence.

This training program will cover areas of specialized knowledge and skills used in the performance of their assigned duties. Training will cover department expectations/policy/procedures; the techniques/skills used in carrying out municipal code enforcement, animal control and welfare services, and problem-solving of quality of life issues in the community; familiarization of pertinent municipal and state laws; and documentation.

Upon successful completion of this training program, a Community Service Officer (CSO II) should be able to effectively carry out first-responder duties for animal-related calls-for-service and municipal code enforcement with limited direct supervision.

This training program can be modified in both content and time frame at the discretion of the Administrative Lieutenant. Modifications can be made taking into consideration the training, the experience, and the background of the new member upon selection, or any other factors the Administrative Lieutenant believes would warrant such changes.



Responsibilities

Administrative Lieutenant

An Administrative Lieutenant is responsible for commencing, coordinating, and overseeing the Community Service Officer training program.

Upon selection, the Administrative Lieutenant will provide initial orientation and issue a CSO trainee a training packet. The packet will include an outline, phase/competency checklists, and schedule for completion. The program will run concurrent with task workload and is not designed to preclude task assignment.

Each phase will conclude with an end-of-phase review, conducted by an Administrative Lieutenant. Upon satisfactory completion of a phase, the Administrative Lieutenant shall sign off on the phase/competency checklist.

CSO Trainee

With oversight provided by an Administrative Lieutenant, a CSO trainee is responsible for the completion of all phases and elements of the packet based upon the timeline provided.

Any concerns or questions about the training program should be addressed with an assigned Field Training Officer or the Administrative Lieutenant.

A CSO trainee shall place initials in the last column next to the area of instruction found on each checklist page, indicating they have been instructed in the respective competency. Initials will signify they understood the training and believe they will successfully implement those concepts and skills.

Field Training Officer (FTO) / HSMC Training Partner

A FTO is responsible for conducting and documenting all training and/or instruction for each competency covered with the CSO trainee. Documentation will be made in the training packet and identified by the trainer placing his/her initials in the first column next to the area of instruction found on each checklist page. Initials will indicate they have covered the competency identified and are satisfied the CSO trainee understands the skill(s) or concept(s) taught. The date the competency was taught will also be documented by the trainer. Portions of the training is intended for delivery by the Humane Society of Marathon County (HSMC) in a role similar to an FTO.

If there are serious concerns about the training program or the competency of the CSO trainee, the FTO and/or HSMC will discuss those concerns with the Administrative Lieutenant. Those concerns will be documented by the Administrative Lieutenant and discussed with the bureau captain.

Bureau Captain

Upon the completion of the training program, the CSO trainee will return the completed training program packet to the CSO lieutenant for review. Final approval of the training program packet will be made by the bureau captain.



CSO Training Program Outline

Phase	Topic	Duration (approx.)
Phase 1	Orientation	24 hours
Phase 2	Animal Care, Handling & Safety	24 hours
Phase 3	First-Responder duties & field operations	60 hours (+40 hours H.O. Course)
Phase 3	General Code Enforcement	20 hours

The general expectation is the CSO Training Program will be completed within **3 months** from the first day of work.



Phase 1– Orientation

	<u>Initial</u>	<u>Date</u>	<u>Initial</u>
1. CSO Training Program Overview			
a. Tour of Police Department	_____	_____	_____
b. Introduction to Command Structure	_____	_____	_____
c. Expectations/conduct	_____	_____	_____
d. Issue/location of mailboxes	_____	_____	_____
e. Location of common forms	_____	_____	_____
f. Voicemail	_____	_____	_____
g. Computer login	_____	_____	_____
i. Email	_____	_____	_____
ii. CCIT policy	_____	_____	_____
h. Locker issuance	_____	_____	_____
i. Key card issuance	_____	_____	_____
j. Uniform and base duty equipment	_____	_____	_____
2. CSO Expectations			
a. Vision, Mission, and Core Values	_____	_____	_____
b. Behavior – reflecting Core Values	_____	_____	_____
c. Professional appearance standards	_____	_____	_____
d. On-duty & off-duty conduct	_____	_____	_____
e. Dissemination of information	_____	_____	_____
f. Courtesy and etiquette	_____	_____	_____
g. Job description review	_____	_____	_____
h. Authorities, enforcement limitations	_____	_____	_____
i. Policy Review			
i. 320 – Standards of Conduct	_____	_____	_____
ii. 1020 – Uniform Regulations	_____	_____	_____



3. Radio Usage / Protocol

a. Radio issuance/location	_____	_____	_____
b. Radio Channel review	_____	_____	_____
c. Radio Functions	_____	_____	_____
d. Secure radio traffic	_____	_____	_____
e. Radio 10 Code review	_____	_____	_____
f. Phonetic Alphabet	_____	_____	_____
g. Proper Radio Protocol	_____	_____	_____
h. Run Driver's License, warrants, license plates	_____	_____	_____
i. In-house record check	_____	_____	_____
j. Obtaining a case number	_____	_____	_____
k. Radio courtesy and etiquette	_____	_____	_____
l. Badge Number usage	_____	_____	_____
m. Emergency traffic protocols	_____	_____	_____

4. Schedule

a. Shift scheduling	_____	_____	_____
b. Discretionary Time Off	_____	_____	_____
c. Absences from Work	_____	_____	_____
d. Timecards	_____	_____	_____

5. Vehicle Use

a. Expectations in care and driving behavior	_____	_____	_____
b. Vehicle Use and orientation	_____	_____	_____
i. Parking / Key Placement	_____	_____	_____
ii. No emergency-mode	_____	_____	_____
c. Policy Review			
i. 703 – Vehicle Use	_____	_____	_____
ii. 1005 – Alcohol and Drug Use	_____	_____	_____

6. Intro to Community Partners & Roles

a. Humane Society of Marathon County (HSMC)	_____	_____	_____
---	-------	-------	-------



- i. Animal transfer/intake tutorial _____
- b. City Clerk's Office _____
- c. HSMC primary vet partners _____
- d. City Inspections _____

7. Professional Communications

- a. Citizen contacts expectations _____
- b. Attitude and tact _____
- c. *Systematic Interviewing* technique _____

8. Officer Safety (DAAT Instructors)

- a. **8 -hours total:**
 - i. DAAT-principles training _____
 - ii. Conflict and de-escalation _____

9. MDT orientation

- a. Initiating & clearing calls _____
- b. Entering comments _____
- c. Policy Review _____

10. W.M.C. Chapter 8 – ordinances review

- a. Ordinance content access _____
- b. Welfare / mistreatment / abandonment _____
- c. Prohibited animal types _____
- d. Pet-household limits (cats & dogs) _____
- e. Dangerous animals _____
- f. Licensing _____
- g. City website (Clerk's Office – pet licensing) _____

11. Geographic orientation

- a. City map access methods / addressing system _____
- b. WPD Sectors review _____



c. City limits / jurisdiction

End-of-Phase Review

Administrative Lieutenant: _____ Date: _____



Phase 2 – Animal Care, Handling & Safety (*Delivered in conjunction with HSMC)

	<u>Initial</u>	<u>Date</u>	<u>Initial</u>
1. Use of animal capture equipment			
a. Portable kennels	_____	_____	_____
b. PPE & Bite gloves	_____	_____	_____
c. Capture poles	_____	_____	_____
d. Transport considerations	_____	_____	_____
2. Animal handling & care			
a. Recognizing neglect and welfare flags	_____	_____	_____
b. Safety in animal encounters	_____	_____	_____
i. Recognizing animal behaviors	_____	_____	_____
ii. Common risk factors	_____	_____	_____
c. Basic welfare assessment	_____	_____	_____
i. Stress/crisis warning signs	_____	_____	_____
ii. Urgent care factors	_____	_____	_____
iii. Requesting urgent care	_____	_____	_____
d. Wild animals limitations	_____	_____	_____
e. Required reading:	_____	_____	_____
i. Marathon County Health Dept. PSA - <i>"Human Exposure to Rabies"</i>			
ii. WI DATCP PSA – <i>"Pets and Weather: Keeping Your Animals Safe"</i>			
3. HMSC "Ride Along" (20 hours total)			
a. Job shadow / assisting HSMC staff	_____	_____	_____

Date	Hours

End-of-Phase Review

Administrative Lieutenant: _____ Date: _____



Phase 3 – First-Responder duties and field operations

1. Mobile community presence

- | | | | |
|------------------------------------|-------|-------|-------|
| a. "Patrol" activity | _____ | _____ | _____ |
| b. Proactive compliance monitoring | _____ | _____ | _____ |

2. Stray or "at-large" dogs and cats

_____	_____	_____
-------	-------	-------

3. Animal bite complaints

- | | | | |
|---------------------------------------|-------|-------|-------|
| b. Investigation, info gathering | _____ | _____ | _____ |
| c. Quarantine matrix & forms | _____ | _____ | _____ |
| d. Case documentation | _____ | _____ | _____ |
| e. Bite / seizure tracking system | _____ | _____ | _____ |
| f. Dangerous animal compliance checks | _____ | _____ | _____ |

4. Animal transport to HSMC

- | | | | |
|-----------------------------|-------|-------|-------|
| a. HSMC after-hours process | _____ | _____ | _____ |
|-----------------------------|-------|-------|-------|

5. Issuing citations

- | | | | |
|---|-------|-------|-------|
| a. TRACS citation system orientation/access | _____ | _____ | _____ |
| b. In-house records access | _____ | _____ | _____ |
| c. Citation narrative expectations (elements) | _____ | _____ | _____ |
| d. Interactions w/ cited persons | _____ | _____ | _____ |

6. Addressing animal-related nuisance complaints

- | | | | |
|----------------------|-------|-------|-------|
| a. Barking / howling | _____ | _____ | _____ |
| b. Excrement issues | _____ | _____ | _____ |
| c. Animals at-large | _____ | _____ | _____ |

7. Violation assessments (ordinance vs. criminal acts)

- | | | | |
|--|-------|-------|-------|
| a. WI Stats. Chapter 951 review | _____ | _____ | _____ |
| b. Identifying criminal nature of acts/failures to act | _____ | _____ | _____ |



- c. Case reviews (ordinance citation vs. criminal charges) _____
- d. Use of discretion _____
- e. Requesting criminal investigation / Officer assistance _____

8. Requests for assistance (from Police Officers)

- a. Animal care and handling role in criminal cases _____
- b. Supporting documentation for Officers' cases _____

9. Animal Hold-for-Cause

- a. WI Chapter 951 – HFC parameters _____
- b. Forms _____

10. Animal surrender

- a. HSMC's surrender policy & forms _____
- b. Jail inmate – animal custody form _____

11. Documentation and Report Procedures

- a. Photographing animals/observations (for code violation evidence)
 - i. Using Dept.-issued mobile phone _____
 - ii. Submitting photographs _____
- b. Narrative templates and format _____
- c. Supplements _____
- d. Case Closure _____
- e. Supervisor review process _____

12. Pet licensing

- a. History and purpose _____
- b. Licensing program structure _____
- c. EVOLVE system orientation
 - i. Access and functions _____
 - ii. Investigative use / searching _____
- d. License checking & enforcement _____



i. City Clerk's Office (1-hour training) _____

13. DATCP *Humane Officer* training course _____
(within 1 year of hire)

Training	Date(s)	Location
DATCP <i>Humane Officer</i> Course		Madison, WI

End-of-Phase Review

Administrative Lieutenant: _____ Date: _____



Phase 3 – General Code Enforcement

1. General code enforcement

a. Authority to Enforce	_____	_____	_____
b. Bond/Forfeiture review	_____	_____	_____
c. 400 Block ordinance list	_____	_____	_____
d. Curfew violation {9.04.054}	_____	_____	_____
e. Disorderly Conduct {9.04.010}	_____	_____	_____
f. Fireworks {9.12.010}	_____	_____	_____
g. Open fires {17.24.010}	_____	_____	_____
h. Fire Permit violation {17.24.020}	_____	_____	_____
i. Park- after hours {9.20.020}{2}	_____	_____	_____
j. Jumping/diving from bridges {9.22.020}	_____	_____	_____
k. Littering {9.04.040}	_____	_____	_____
l. Skateboards - downtown {12.44.035}	_____	_____	_____
m. Underage smoking {9.04.022}{b}{3}	_____	_____	_____
n. Throwing snowballs/missiles {9.08.020}	_____	_____	_____
o. Liquor on street {9.04.025}	_____	_____	_____
p. Liquor - Possess/Consume {5.64.010}	_____	_____	_____
q. Public Intoxication {9.04.026}	_____	_____	_____
r. Parking ramp – loiter {10.48.121}	_____	_____	_____

2. Nuisance Abatement

a. Purpose – impacting Quality of Life	_____	_____	_____
b. Communications w/ City Inspections	_____	_____	_____
c. Detecting/reporting common violations:			
i. Mowing required	_____	_____	_____
ii. Refuse accumulation, storage	_____	_____	_____
iii. Junk / abandoned vehicles	_____	_____	_____
iv. Improper snow placement	_____	_____	_____



3. Downtown Officer orientation

- | | | | |
|-----------------------------|-------|-------|-------|
| a. Purpose | _____ | _____ | _____ |
| b. Presence considerations | _____ | _____ | _____ |
| c. Common compliance issues | _____ | _____ | _____ |

4. Bicycle services

- | | | | |
|-----------------------------------|-------|-------|-------|
| a. Abandoned Bicycles | _____ | _____ | _____ |
| i. Report form | _____ | _____ | _____ |
| ii. Storage at DPW | _____ | _____ | _____ |
| b. Common bicycle code violations | _____ | _____ | _____ |
| i. On street/sidewalk required | _____ | _____ | _____ |
| ii. No light at night | _____ | _____ | _____ |

5. Traffic control / events assistance

- | | | | |
|--|-------|-------|-------|
| a. Controlled intersection / control box | _____ | _____ | _____ |
| b. Uncontrolled intersection | _____ | _____ | _____ |
| c. Hand signals / procedures / positions | _____ | _____ | _____ |
| d. Use of flashlight | _____ | _____ | _____ |
| e. Use of cones | _____ | _____ | _____ |
| f. Hi-Vis safety vests | _____ | _____ | _____ |



Completion of CSO Training Program

Upon the recommendation of Field Training Officers and the review of the Training Program documents, Community Service Officer _____ has completed the CSO Training Program, thereby successfully meeting the required competencies.

This Training Program packet will be forwarded to the Bureau Captain for review and final approval marking the completion of initial training.

Administrative Lieutenant: _____ Date: _____

Bureau Captain: _____ Date: _____

FREQUENTLY ASKED QUESTIONS



WHERE CAN I ADOPT A FURRY FRIEND?

- Human Society of Marathon County
 - catsndogs.org
- New Life Pet Adoption Center
 - nlpac.com

HOW CAN I LICENSE MY PET?

- Online at wausaupet.org
- Mail completed application and payment to: Wausau Animal Licensing
407 Grant Street, Wausau, WI 54403
- In Person at City Hall, 407 Grant Street,
Wausau, WI 54403

WHO DO I CONTACT FOR A DECEASED ANIMAL IN THE ROAD?

- Deer - Public Works (715)261-6960
- Dog/Cat - Police (715)261-7800
- Other Animals - responsibility of
whomever comes across animal

I FOUND AN ANIMAL, WHAT SHOULD I DO?

- During normal business hours, City
Hall (715)261-6620
- After business hours, Police
Department (715)261-7800



More Information at:

WWW.WAUSAUPET.ORG

ANIMAL CONTROL

The Animal Control program allocates trained first-responder and ordinance enforcement resources for animal-related issues in the City. With active presence in the community, Animal Control personnel strive to:

- Pursue responsible pet ownership
- Take protective action for animals
- Impact quality of life in our community
- Contribute to the Department's capacity to address daily calls-for-service

MORE DETAILS, GET IN TOUCH WITH US!



Animal Control (715)261-7800
(Option 1 for Dispatch)



animalcontrol@ci.wausau.wi.us



www.wausaupet.org



Wausau Police Department
515 Grand Avenue
Wausau, WI 54403



ANIMAL CONTROL



**Professionalism Integrity
Accountability Respect**

WHY IS PET LICENSING REQUIRED?

- Helps fund the housing & care costs for impounded animals at the Humane Society.
- Promotes responsible pet ownership & animal welfare.
- Helps in monitoring compliance with state rabies vaccination laws.
- Helps Officers identify animals & address animal complaints in your neighborhood.

CITY ORDINANCE REFERENCES:

NUMBER OF CATS AND DOGS

8.08.120

3 cats and/or 2 dogs allowed in or upon one residential unit. All must be licensed. For allowing more pets see Pet Fancier.

LICENSING

8.08.170

REQUIRED to be completed every year by March 31st. Failure to comply may result in a citation up to \$187.

LICENSE FEES

- Altered Pet \$20
- Altered Pet with Microchip \$12
- Unaltered Pet \$62
- Unaltered Pet with Microchip \$54

A late fee of \$5 is imposed if the license is obtained after March 31st.

RABIES

8.08.160

Cats and dogs are REQUIRED to have a rabies vaccination by 4 months of age.

ANIMALS AT-LARGE

8.08.190

Animal shall be considered running at large when it is not on the premises of its owner, unless on a leash no more than 6 feet in length.

PROVIDING PROPER FOOD AND WATER

8.08.130

Food sufficient for healthy living required. Water for healthy living required.

PROVIDING PROPER SHELTER

8.08.140

Shelter from inclement weather and having available shade from sunlight.

REMOVAL OF ANIMAL EXCRETA

8.08.220

Animal feces are required to be disposed of in a sanitary manner.

HOWLING ANIMALS

8.08.230

Barking/howling that disturbs another is prohibited.

FORBIDDEN CREATURES

8.08.010

NO venomous animals, fighting birds, marsupials, nonhuman primates, reptiles over 10 feet, farm animals, canids (except domestic dogs), felids (except domestic cats). See website for full list.

TRANSPORTATION OF ANIMALS

8.08.050

No person may transport any animal in or upon any vehicle in a cruel manner. Includes leaving an animal in a vehicle while temperatures are above 75 degrees Fahrenheit.

PET FANCIER PERMIT

8.08.120

You may not have more than 5 dogs/cats combined, with the maximum number of dogs or cats being 4.

DANGEROUS ANIMALS

8.08.200

Any animal which bites, inflicts injury, or otherwise endangers the safety of humans or domestic animals without provocation.

APIARY PERMIT (BEEKEEPING)

8.08.011

Person who owns or has charge of one or more colonies of bees at a single location.

CHICKEN KEEPING

8.08.012

No more than 4 hens or pullets are allowed. Roosters are prohibited.

DOG PARK INFORMATION

Dogs on leashes are permitted in City Parks. In addition off-leash park times are:

Oak Island Park & Picnic Island Park

6:00am - 9:00am

6:00pm - 9:00pm

Memorial Park

6:00am - 9:00am

2 Hearts Dog Park

6:00am - 11:00pm

Pets are not allowed in the 400 Block during special events. 8.08.190



525 East Cotati Avenue
Cotati, California 94931

T 707.795.2533
F 707.795.7280

info@aldf.org
aldf.org

To: Wausau City Council Committee
From: Animal Legal Defense Fund
Date: July 31, 2024

Re: Humane Officer/Animal Control Officer Program in Wausau, WI

By way of introduction, I am Dr. Cathryn Calia Schrope, a board-certified internal medicine specialist (DACVIM, SAIM) and a law clerk with the Animal Legal Defense Fund (“ALDF”). The ALDF is a national, non-profit organization of attorneys dedicated to protecting the lives and advancing the interests of animals through the legal system. Towards that end, ALDF addresses the critical gap in legal resources and expertise needed to effectively respond to crimes against animals. ALDF has become an indispensable ally in the fight against animal cruelty. ALDF’s work with esteemed national organizations, including the Association of Prosecuting Attorneys and the National Sheriffs’ Association, alongside a partnership with the National Council of Juvenile and Family Court Judges, underscores their commitment to enhancing the judicial response to animal cruelty. Given its breadth of knowledge on animal cruelty cases, ALDF is uniquely able to provide an opinion on the proposal before the Wausau City Council to revamp its Humane Officer (“HO”) / Animal Control Officer (“ACO”) program.

The research in support of Wausau County maintaining, supporting, and expanding its current HO/ACO program, comprised of a highly trained and experienced HO, is overwhelming (see ALDF Research Memo, attached and incorporated by reference). ALDF and numerous national organizations support robust municipal animal control programs. Perhaps the leading organization in this area is the National Animal Care & Control Association (“NACA;” www.nacatraining.org). NACA “envision[s] a world in which all animal care and control professionals are respected as essential public servants and receive consistent support, resources and training allowing them to effectively and compassionately achieve the highest quality of life for the animals and citizens in the community they serve.” Numerous municipalities have incorporated NACA’s training as their mandated HO/ACO training.

The importance of supporting a highly trained and experienced HO/ACO cannot be understated. There are well-documented associations between animal abuse/cruelty, domestic violence, and other criminal activity. The expertise of a highly trained and experienced HO/ACO is essential in the identification, investigation, and adjudication of animal cruelty/abuse where there is a link to these types of public health issues (see ALDF Research Memo, § V).

The trained and highly experienced current Wausau HO should be retained as an integral part of the Animal Control program. It is clear from the information on the Council’s creation of the Animal Control program/HO position in 2013, that it was fully supported by the Wausau residents; in fact, they were willing to pay additional licensing fees so that a program could be created. It is

commendable that Wausau has recognized its current need for an expansion of its Animal Control program by providing additional coverage by CSOs so that there are trained individuals available as nearly as possible to 24 hours per day/7 days per week. Elimination of the current HO's position, however, appears to be a step in the wrong direction for the entire program; instead, there are several alternative options that could be pursued.

One of the options would be to retain the current HO (in her current hours, or possibly with an adjustment of hours to best meet the community's needs), with addition of multiple part time, at least minimally trained CSOs. The HO could provide on the job training, mentoring, and education to help Wausau's program meet, or possibly exceed industry standards. This would also meet Wausau's goals by expanding access to the community of animal control resources, as they envisioned and agreed to financially support back in 2013. To achieve Wausau's goals of 24/7 animal control coverage without allocating the current HO or the Animal Control program additional financial resources or support personnel for the past 11 years seems like an insurmountable burden to place on the HO and the program as a whole.

The subcommittee tasked with proposals to revamp the Animal Control program cites financial constraints in continuing with the current program. The program has been operating on the same budget for the past 11 years. The recent withdrawal of a contracting town has caused a current budget shortfall. Instead of eliminating a highly trained resource in which Wausau has invested 11 years and countless funds, funding alternatives could be considered in order to continue and even possibly expand, the program (e.g. grants, other town contracts etc.; see ALDF Research Memo, § X for resources).

It is thus ALDF's position that the Wausau City Council continue to employ the current HO (with possible adjustments to her schedule) rather than eliminate this valuable resource. To achieve its stated goals of more expansive availability of animal control personnel, Wausau should add additional trained CSOs to the current program.



525 East Cotati Avenue
Cotati, California 94931

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info@aldf.org
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To: Wausau City Council Members

From: Animal Legal Defense Fund; Cathryn Calia Schroepe, DVM, DACVIM (SAIM), Summer Law Clerk

Date: July 31, 2024

Re: Humane Officer/Animal Control Officer Program in Wausau, WI

The Animal Legal Defense Fund (“ALDF”) is a national, non-profit organization of attorneys dedicated to protecting the lives and advancing the interests of animals through the legal system. Towards that end, ALDF addresses the critical gap in legal resources and expertise needed to effectively respond to crimes against animals. By providing free legal assistance, training, and resources to those on the front lines of animal cruelty cases, ALDF has become an indispensable ally in the fight against animal cruelty. ALDF’s work with esteemed national organizations, including the Association of Prosecuting Attorneys and the National Sheriffs’ Association, alongside a partnership with the National Council of Juvenile and Family Court Judges, underscores their commitment to enhancing the judicial response to animal cruelty. Given its breadth of knowledge on animal cruelty cases, ALDF is uniquely able to provide an opinion on best practices for local animal control officer (“ACO”) programs. It is the opinion of the ALDF that humane officers (“HOs”) should exist in every municipality, they should be fully supported by their local government, they should receive robust initial and ongoing training that aligns with current ideals of animal welfare (such as that offered by the National Animal Care & Control Association), and they should be afforded industry-standard equipment.

ALDF has become aware that the City of Wausau, Wisconsin is considering restructuring its animal control program. While the ALDF has no wish to become embroiled in local politics, as an animal welfare organization, we support a One Health-type best practice in animal control so that animals and humans in a community are fully supported and ultimately, have good outcomes. Therefore, we would like to offer a non-biased “best practices” compilation from several animal welfare-related industries to assist in the Council’s decision process.

Please feel free to contact the Animal Legal Defense Fund for more information, or for assistance.

Best Practices in Animal Control

1. Rescue and Protection: Responding to calls about abandoned, injured, abused, or neglected animals, and safely seizing and transporting them to shelters or veterinary facilities.

2. Investigations: Conducting investigations into reports of animal cruelty, neglect, or abandonment. This includes gathering evidence, interviewing witnesses, and working with law enforcement to prosecute offenders. Be knowledgeable about “The Link,”¹ and assist local law enforcement in investigation/resolution of animal abuse/domestic violence cases.

3. Education and Outreach: Educating the public about responsible pet ownership, animal care, and local animal laws. This might involve community presentations, distributing educational materials, contributing to police training, and participating in emergency preparedness efforts and outreach events to local schools and community groups.

4. Enforcement: Enforcing local ordinances and federal animal control laws, in particular Wausau Municipal Code Title 8, and Wisconsin Statutes Chapter 173.² This includes issuing citations or warnings for violations of animal neglect, acting as a first responder, and conducting searches and seizures.

5. Emergency Response: Participating as a first responder in emergency preparedness and emergency response efforts before, during, and after natural disasters or other crises. This includes educating the public on how to best protect their animals to comply with local law and safeguard their wellbeing, as well as acting on rescue and care response for displaced animals.

6. Collaboration: Working closely with humane society/animal shelter staff, volunteers, veterinarians, public health organizations, and external agencies to coordinate efforts and provide comprehensive care for animals.

7. Documentation and Reporting: Keeping detailed records of incidents, investigations, and actions taken, and preparing reports as needed.

8. Transport: To transport animals in a team vehicle from the point of seizure to/from appropriate authorities, licensed veterinary offices, and rescue centers as required.

9. Training: Undertaking all necessary training to improve competencies, updates on legislation and best practices, including external courses and workplace training as required by Wisconsin

¹ Put citation

² Wausau Code of Ordinances, § 8 Animals; Wisc. Ann. Stat. § 173 Animals; Humane Officers.

Statute .³ Industry standard ACO training at multiple levels from the [National Animal Care & Control Association](#). The Animal Legal Defense Fund's Criminal Justice Program can provide (free) supplemental animal cruelty investigations training.

10. Monitor License Usage: Attending and monitoring businesses, events or activities where animals are used under licensed conditions. This may require liaising with event organizers to ensure that animal welfare requirements are being properly met. Monitor and work with the City Clerk's office under Wausau Code § ** to assist in pet licensing efforts.

11. Court Attendance & Testimony: Preparing witness statements and when required giving evidence in court as an inspecting officer and witness.

12. Animal Handling: Ensuring compliance with safe working practices in the handling, transport and care of animals, including dangerous and aggressive dogs and animals that may have been seized from their owners or other persons under circumstances where threats of violence or actual violence may be encountered.

13. Risk Awareness: Possessing a high degree of awareness concerning the risks associated with aggressive and dangerous animals, including their handling and management. This requires being highly competent in the proper use of protective equipment, protective clothing, and the range of equipment that may be required in handling such animals. Additionally, pre-exposure vaccination for rabies may be a consideration.

I. Summary of Wausau's past and current animal control program

Original Proposal of Animal Control Staffing Position, June 2012⁴

The current Animal Control program in Wausau was proposed and discussed at the December 10, 2012 meeting of the Human Resources Committee of the Wausau City Council. At that time, a Humane Officer position was proposed with input from the Marathon County Humane Society, Marathon County Animal Control Task Force, and an individual with experience at the Rock County Animal Shelter and the Department of Agriculture. All of the proposals provided for more than one officer, with a trained individual acting as an HO, and the use of part-time CSOs to fill in the gaps in coverage. The Humane Society's proposal was for three individuals and a budget of \$375,000.

³ Wisc. Ann. Stat. § 173.05 Certification required. See also Department of Agriculture, Trade, and Consumer Protection (hereinafter "DATCP"), *Humane Officer Training*, STATE OF WISCONSIN, https://datcp.wi.gov/Pages/Programs_Services/HumaneOfficerTraining.aspx (last visited July 18, 2024).

⁴ City of Wausau Human Resources Committee, Minutes of open session, July 8, 2024; <https://www.wausauwi.gov/home/showpublisheddocument/11824/638555214909770000> (last visited July 19, 2024). See also Wausau Human Resources Committee Meeting – 6/4/24," <https://www.youtube.com/watch?v=WXuyINYNTZg> (last visited July 22, 2024).

When questioned, the Humane Society said the program “couldn’t be done with less staff or less money.”⁵ Concerns at that time included the turnover of CSOs, the need to replace CSOs and retrain them. At the time of adoption at the meeting, Loy clarified “one animal control officer and up to two part-time CSOs.”⁶ Therefore, the original proposed program was *intended* to use one full time HO and up to 2 part-time CSOs which appears to align with the current operation of the program (one full time HO and use of multiple CSOs as needed on HO off hours) appears to be consistent with how the program was created and intended to run, with perhaps the exception of a current identified need to modify the working hours of the full time HO. Part of the proposal in 2012 was to recruit “other communities [to] ask [] for their participation to supplement for additional staff and flexibility,” which seems to indicate a recognition of, and anticipation of issues with 24/7 coverage of animal control services. At that time, the Committee retained its decision to go with one full time HO, and up to two part time CSOs, at a budget of \$75,000. At some point between 2012-2024, Wausau contracted with another town to also provide their animal control services by using the single Wausau HO, essentially decreasing the amount Wausau budgeted to the HO position by 18%. The original job description of the Wausau HO outlined 12 responsibilities and stressed “knowledge of animal behavior;” “considerable knowledge of laws and ordinances related to humane animal capture, care and disposal methods;” and “considerable knowledge of safety practices concerning the handling of animals and is skilled in the use of animal handling equipment.”⁷ Enforcement of ordinances (e.g. licensing) was only one of the 12 responsibilities. The majority of the job description focused on animal welfare and public health issues, which is consistent with current and evolving best practices in animal control⁸ and aligns with what the current HO deems as her job description: “to keep the community safe from the animals, and the animals safe from the community.”⁹

Current program proposed by the Task Force to the Human Resources Committee of the Wausau City Council, June-July 2024

A “restructured” animal control program was proposed at the Human Resources Committee meeting held on June 10, 2024 as tasked by the Finance Committee. The task force stated that the “main goals” of the program are to “increase pet licensing and decrease the time officers handled

⁵ Id.

⁶ Id.

⁷ Human Resources Committee, *supra* note 1.

⁸ Laura A. Reese & Kellee M. Remer, *Best practices in animal control ordinances*, 49 State and Local Government Review 2017, 117, 117, (stating “[i]t is clear that cities on the whole do not have animal control ordinances that follow best practice guidelines. Generally, control issues are emphasized over animal welfare concerns, and policies are not sufficiently detailed to protect the community, animal guardians, or the animals themselves. Further, there are very few city traits that correlate with any of the types of animal control ordinances, best practice or not.”). See also Sloane M. Hawes, *et al.*, *Punishment and support: The need to align animal control enforcement with the human social justice movement*, 10 Animals (Basel) 1902, 1902 (2020) (discussing the human-animal bond, current ideas of human and animal welfare, and the misaligned current focuses of ordinances on code enforcement rather than human and animal welfare outcomes.)

⁹ See Wausau Human Resources Committee Meeting – 6/4/24 at 1:28:40, <https://www.youtube.com/watch?v=WXuyINYNTZg> (last visited July 22, 2024).

calls related to animals.”¹⁰ The presenters stressed that the current program was deemed a failure, and that the proposed program was “budget neutral,” based on the decreased amount Wausau currently budgets to the HO from the original 2012 amount (the loss of the contract with Everest Metro caused a loss of funding for the position).

The evaluation of the current program as a failure was due to a decrease in collection of licensing fees and a perception that the current HO was unable to respond to calls 24/7. The proposal to rectify these issues was to eliminate the full time HO position as of October 26, 2024, (currently staffed by a highly trained, experienced HO who has been a lifelong citizen of the Wausau community), and cover the 24-hour cycle with multiple, part-time, non-sworn CSOs who would have other duties besides animal control. The CSOs would need to become certified by the state of Wisconsin by completing the minimum requirement of a certified HO, consisting of a single, 40-hour course offered by the state. A slide show was used to illustrate details of the program, with a conclusory slide as follows:

1. “Budget reduced in 2024; H.O. position funding runs out mid-October 2024.”¹¹
 - a. The loss of \$17,000 from the cancellation of a contract with Everest Metro is leaving Wausau with a shortfall in the budget. It is unclear when Wausau entered into the contract, which decreased the dollar amount that Wausau actually budgeted/funded into the HO program.
 - b. ALDF’s comment: if possible, the HO program should be funded at least at the amount originally budgeted for in 2012.
2. “Wind-down H.O. position, ending October 26, 2024.”
 - a. ALDF’s position: The loss of the highly trained and experienced individual currently serving in this role will be detrimental to the development of an industry-standard animal control program, which Wausau deserves.
3. “Budget-neutral solution is available: team model of CSOs is a widely utilized and effective model for animal control service delivery elsewhere in WI.”
 - a. As of June 2024, 33 counties in Wisconsin have appointed ACOs/HOs¹²
 - b. As of June 2024, 95 cities/villages/towns in Wisconsin have appointed ACOs/HOs¹³
4. “Staffing re-structure and certified H.O. sworn Officers grows our capacity to advance the program goals, investigate crimes against animals, grow partnerships.”
 - a. These were the original goals of the program adopted in 2012. It appears that the current operation of the program, with one full time HO and support from CSOs, is operating as it was envisioned to when it was proposed in 2012.

¹⁰ Human Resources Committee, *supra* note 1.

¹¹ *Id.*

¹² DATCP, Appointed Humane Officers in Wisconsin, June 3, 2024, <https://datcp.wi.gov/Documents/Humane%20Officer%20List%20for%20Website%20rev2024-06-03.pdf> (last visited July 22, 2024).

¹³ *Id.*

- b. ALDF supports the goals of continuing to advance the program. Taking away trained and experienced staff does not align with “growing” the program; it will cause the program to take backward steps by having to recreate the current “partnerships” that have been cultivated by the current HO over the past 12 years. The current program has a certified and highly trained individual with more than 12 years of full-time, on the job experience who has already been fulfilling the program goals as stated in 2012: investigating crimes and growing partnership within the 40-hour work week over the past 12 years. Rather than getting rid of this valuable resource, if the new program goals are to cover more hours and cover budget shortfalls, alternative paths could be considered.
 - i. involve the current HO in framing the “revamped” program, as her many years of experience, expertise and training will best inform the council as to what is still needed to bring Wausau’s animal control program up to industry-best practices;
 - ii. retain and modify the current HO’s work hours and use her in a leadership/mentorship role for additional officers;
 - iii. add part time, existing CSOs (already being paid in the budget) to cover high-need timeframes (e.g. summer months, weekends, late nights);
 - iv. use less part time staff to cover low need timeframes (e.g. December – March);
 - v. recruit other local towns to contract with Wausau to participate in the animal control program;
 - vi. apply for grants to cover the budget shortfall (see attached grant list).
 - c. For new CSOs to attain the level of training and expertise of the current HO, they will have to get the equivalent of 12 years of full-time on the job training and obtain more than just the minimally required WI state training; therefore, removing the most highly trained and experienced officer from the program does not align with the new program goals.
5. “Effective CSO program = new capacity to train, develop quality Police Officer hiring candidates (ability to carry over H.O. certification).”
- a. ALDF supports these goals; however, removing the current highly trained and experienced HO and starting from scratch with a new program seems experimental. The needs identified for the program are additional hours coverage and additional money to fund the program. Removing the current HO does not specifically address these gaps in the current program; rather, it seems that it will hobble the animal control services provided to the community by operating without a highly trained and experience leader to mentor the needed additional officers.
 - b. Additionally, at the June and July Human Resources Committee meetings, the Committee attributed the low community response to pet licensing to a failure of the part of the HO. Enforcement of Wausau ordinances is only a part of the HOs

responsibilities; this parameter should not be the only one used to evaluate the HO's job performance. Other Wausau employees are also involved with regulating and administering this program (e.g. City Clerk's office). The proposed new program does not offer a specific remedy to this issue other than putting more "boots on the ground" by adding an additional 20 hours/week of animal control coverage but offers no specific action steps as to how the new CSO program will deal with licensing issues.

A vote on the program was tabled in order to collect additional information. At the next meeting of the Committee, held on July 8, 2024, the Committee put the proposal to a vote, which ended in a tie. Thus, the proposal will be brought to the entire Council at their next meeting.

ALDF position: *Wausau should put more resources into its animal control program, not less.*

II. Importance of Animal Control Officers ("ACOs")/Humane Officers ("HOs")

ACOs/HOs play a vital role in keeping communities safe and healthy. Their importance goes beyond simply catching stray dogs. ACOs/HOs are essential to a community because they are not only concerned with the health and welfare of animals, but they are concerned with the health and welfare of the people in the community; and thus, they should work closely with public health officials and law enforcement. ACOs ideally should be sworn officers so that they have a first-responder authority to conduct investigations of animal welfare consistent with the Wisconsin state and federal requirements of search and seizure.¹⁴

Ideally, ACOs support the public health of a community by helping to prevent disease transmission (e.g. rabies, parasites, ringworm, fleas), addressing nuisance complaints and local ordinance violations related to animals, providing community education on responsible pet ownership, and collaborating with animal shelters, humane societies, and veterinary clinics on vaccination, microchipping and spay/neuter programs to reduce the number of animals entering shelters. They are also champions of animal welfare, preventing animal suffering and promoting animal well-being through investigation and follow up of animal cruelty cases, providing rescue and rehabilitation services for animals in distress (e.g. lost, abandoned, injured, trapped, or in dangerous situations), recognizing the association of animal cruelty with domestic violence, using humane capture methods, and managing wildlife populations (trapping/relocated nuisance animals, preventing

¹⁴ Wisc. Const. art. I § 11; U.S. Const. amend. IV.

property damage and potential conflicts with humans). ACOs/HOs also liaison with various agencies like public health departments, wildlife rehabilitators, and social services. This collaborative approach ensures a multifaceted response to animal-related issues, improving overall community health and well-being.

One of the most important collaborations of ACOs/HOs is with law enforcement in animal cruelty cases that are associated with domestic violence issues, and the need to aggressively investigate and act to ensure the safety of the animals and humans involved. ACOs/HOs should be sensitive and supportive of the deeper underlying issues involved with animal cruelty that might require collaboration with social services and mental health professionals. ACOs/HOs should also be aware of lack of access to affordable veterinary care, financial hardships in the community, and prioritizing education as a first step for low level ordinance violations.

Another important role of the ACOs/HOs is community outreach and education regarding responsible pet ownership, spay/neuter/vaccine/microchip campaigns, targeted education programs within schools, workshops for new pet owners, collaborative educational programs with veterinary professionals regarding animal disease and nutrition, and the robust use of online and social media platforms to heighten community engagement. ACOs/HOs should be trained and prepared for natural disasters, and thus, support the local community during these events in order to assure the well-being of the community's pets. Additionally, the ACOs/HOs should become individually certified in rabies control as per Wisconsin Administrative Code § 13.04 and should develop and maintain a robust rabies control program, as mandated by the Wisconsin Administrative Code § 13.02. ACOs/HOs should consult their physicians, and strongly consider pre-exposure vaccination for rabies.

The animal control program ideally should have specific and ongoing oversight by relevant authorities; and should have regular reporting, record-keeping, and data collection requirements, as well as procedures for handling complaints regarding the program. The program should have strong, experienced and skilled leadership that can act as mentors for less experienced/new ACOs/HOs. The ACOs/HOs should be supported by the local government, being afforded industry-

standard, proper equipment to humanely handle animals while also ensuring the safety of the officers.

The ACOs/HOs should also be afforded the opportunity to attend enhanced training, beyond the mandatory, 40-hour certification offered by the State of Wisconsin. The National Animal Care & Control Association has many certification classes for ACOs attend advanced training, chemical immobilization workshops, and mental health first aid courses. Officers should train not only in animal cruelty investigation procedures, but also in de-escalation tactics, proper restraint techniques for the varied species of animals, minimizing animal stress, animal behavior, verbal communication strategies, body language awareness, understanding animal fear triggers, and humane handling of animals. The animal control program should develop and implement clear protocols that meet industry standards for proper restraint and humane handling of animals that prioritize animal safety and officer well-being. The program should mandate ongoing training for officers in understanding canine and feline body language, recognizing signs of fear and pain, and proper handling of different species.

The animal control program should work closely with local rescue groups, humane societies, animal shelters, and state animal welfare organizations to ensure that the local program is providing the community of Wausau with the best service possible by constantly updating procedures and strengthening collaborations.

III. **National Animal Care & Control Association position**¹⁵

Arguably, the most authoritative body on best animal control practices is the National Animal Care & Control Association (“NACA”), an organization formed to provide resources, standardized training, and support for animal care and control professionals across the United States.¹⁶ NACA *“is committed to setting the standard of professionalism in animal welfare and public safety*

¹⁵ National Animal Care & Control Association (“NACA”), *NACA statement on minimum training requirements for animal control professionals*, Mar. 2023, <https://www.nacanet.org/naca-statement-on-minimum-training-requirements-for-animal-care-control-professionals/> (last visited July 19, 2024). See also NACA position statements at <https://www.nacanet.org/category/position-statements/> (last visited July 19, 2024.)

¹⁶ NACA, *What is NACA?* <https://www.nacanet.org/about/> (last visited July 18, 2024.)

through training, networking, and advocacy.”¹⁷ NACA states its values as professionalism, dedication, leadership, integrity, innovation, diversity, accessibility, compassion.¹⁸ NACA’s position statement advocates for a best practice type animal control program, which encompasses everything from detailed equipment requirements to ensure the safety of animals and officers, to the recommendation that “agencies review officer compensation to determine if existing salaries are sufficient to recruit and retain qualified and skilled animal control officers,” (see attached document).¹⁹ Therefore, NACA’s position is not to endorse the minimum of requirements for an animal control program, but a robust and community-minded program, emphasizing retention of ACOs with qualifications and skills. NACA delineates a 23 point, non-exhaustive list of ACO services, which appears in its position statement.²⁰ NACA boasts 3,000 members, and promulgates Levels I, II and III ACO training, Chemical Immobilization workshops, Mental Health First Aid training for ACOs, and recently hosted its inaugural summit on June 1, 2024, with 37 states participating.²¹ NACA also promulgates ACO Appreciation Week, which was on April 15, 2024, and celebrated ACOs, who they describe as “brave and compassionate,” and who “work tirelessly to protect and serve both the pets and people in their communities.”²² NACA supports and emphasizes “collaboration across states and municipalities, highlighting how unity can drive significant progress in policies and practices related to animal welfare,” and “more compassionate and effective animal control practices.”²³

IV. **One Health and the Importance of ACOs**

¹⁷ NACA, *Recognizing the role of the animal control officer*, June 2022. <https://www.nacanet.org/recognizing-the-role-of-the-animal-control-officer/> (last visited July 18, 2024).

¹⁸ NACA, www.nacanet.org (last visited July 19, 2024).

¹⁹ NACA, *NACA statement on recognizing the role of the animal control officer*, <https://www.nacanet.org/wp-content/uploads/2022/06/Recognizing-the-Role-of-the-Animal-Control-Officer-NACA-Statement-1.pdf> (last visited July 18, 2024).

²⁰ *Id.*

²¹ NACA, *NACA Inaugural Summit: A unified vision for animal care and control*, <https://www.nacanet.org/naca-inaugural-summit-a-unified-vision-for-animal-care-and-control/> (last visited July 2024).

²² NACA, *Let the celebration begin! ACO week*, <https://www.nacanet.org/let-the-celebration-begin/> (last visited July 18, 2024.)

²³ *Id.*

“One Health” refers to the interconnectedness of animal, human, and environmental health.²⁴ The Centers for Disease Control (“CDC”) recognize One Health as “a collaborative, multisectoral, and transdisciplinary approach.”²⁵ In short, the health and welfare of people are deeply interconnected with the health and welfare of animals, plants and the environment, and One Health strives to recognize and capitalize on this by promoting collaboration among all sectors of society. Specifically, the CDC notes the importance of recognizing zoonotic disease in the form of rabies, Salmonella, West Nile virus, Q Fever, anthrax, brucellosis, Lyme disease, ringworm and Ebola virus; anti-microbial resistance; food safety; and the human-animal bond.²⁶

Additionally, the CDC notes that risks related to being an animal control officer include transmission of rabies,²⁷ Leptospirosis, or other zoonotic diseases.²⁸ In the U.S., most rabies is associated with wildlife,²⁹ suggesting that animal control officers in their course of duty would have an increased risk of exposure to rabies virus, considering their increased risk of being bitten.³⁰ In one study, 40% of ACOs reported being bitten in a single calendar year (bite rate was 2.57 per ACO working-year, representing 175 to 500 times the risk of the general population.)³¹ Authors of the study recommend that effective animal control programs “require community support, well-designed and consistently enforced ordinances, adequate funding, and a sufficient number of trained animal control officers,” and cite their “vital role” in public health.³²

V. **The National Link Coalition and the International City/County Management Association: “The Link” between animal cruelty and domestic violence**

²⁴ Centers for Disease Control (*hereinafter* “CDC”), *About One Health*, July 2024, <https://www.cdc.gov/one-health/about/index.html> (last visited July 18, 2024).

²⁵ *Id.*

²⁶ *Id.*

²⁷ CDC, *Rabies prevention and control*, <https://www.cdc.gov/rabies/prevention/> (last visited July 18, 2024). *See also Preventing rabies from bats*, <https://www.cdc.gov/rabies/prevention/bats.html> (last visited July 18, 2024) (including the recommendation that animal control can be helpful in bat-proofing homes).

²⁸ CDC, *Leptospirosis*, <https://www.cdc.gov/leptospirosis/about/> (last visited July 18, 2024).

²⁹ CDC, *Global rabies: What you should know*, <https://www.cdc.gov/rabies/around-world/index.html> (last visited on July 18, 2024).

³⁰ J.M. Mann, *et al.*, *Animal bites as an occupational hazard among animal control officers*, 74 AM. J. PUB. HEALTH 255, 255 (1984).

³¹ *Id.*

³² *Id.* *See also* Healthy Pets, Healthy People, <https://www.cdc.gov/healthy-pets/index.html> (last visited July 18, 2024).

The National Link Coalition is a non-profit organization that promotes awareness of “The Link” between animal abuse/cruelty and domestic violence.³³ The Coalition recognizes that acts of animal cruelty may be a precursor for human abuse, a risk factor for more severe violence, and a threat to public safety, and specifically calls on community animal control, in collaboration with law enforcement, and other community stakeholders as integral to community conversations about “The Link”.³⁴ The staggering statistics collated by national and local law enforcement and available on The Coalition’s website demonstrate that animal abuse is a better predictor of sexual abuse than previous convictions for homicide, arson or weapons offenses; 70% of people charged with cruelty to animals have other incidents of violent behavior; 43% of school shooting perpetrators have a history of animal abuse; and 100% of sexual homicide offenders report having been cruel to animals.³⁵

Animals are often used as pawns in “games of power and control exercised by perpetrators of domestic violence,” and children who harm animals have an exponentially high risk of becoming violent public offenders.³⁶ The Coalition stresses the importance of ACOs and law enforcement in breaking the cycle of violence by understanding the seriousness of The Link, and responding with the appropriate interventions.³⁷ The Coalition also encourages membership in its allied organization, the National Coalition on Violence Against Animals (“NCOVAA”), which is a program of the National Sheriff’s Association.³⁸

Addressing animal cruelty can contribute to a safer community overall. The International City/County Management Association (“ICMA”) is an organization founded in 1914 and committed to the “preservation of the values and integrity of representative local government and local democracy[;] dedicate[ed] to the promotion of efficient and effective management of public services, [the] maintain[ence] and enhance[ment of] public trust and confidence in local government, to

³³ National Link Coalition, <https://nationallinkcoalition.org/what-is-the-link/law-enforcement-and-the-link> (last visited July 18, 2024).

³⁴ National Link Coalition, *The need for the link . . . and its stakeholders*, <https://nationallinkcoalition.org/what-is-the-link/the-need-for-the-link-and-its-stakeholders> (last visited July 18, 2024).

³⁵ Id.

³⁶ Id.

³⁷ Id.

³⁸ Id.

achieve equity and social justice, to affirm human dignity, and to improve the quality of life for the individual and the community.” ICMA has recognized the essential role of the ACO in an article entitled *The Link Between Animal Cruelty and Public Safety*.³⁹ The article recognizes that the role of ACOs in recent years has evolved with the understanding that animals are often treated as beloved members of a family; but in others, they may be victims of, and an indication of domestic violence.⁴⁰

A best practice for ACOs, therefore, is to have a close working relationship with law enforcement in the community, and that crimes involving animal abuse, interpersonal violence and domestic violence be monitored for and reported.⁴¹ It is well established that child abuse and neglect often co-occur in households where there is animal abuse.⁴² Sixty-eight percent of animal cruelty incidents are reported by the FBI to occur in the home, underscoring the importance of ACOs in recognizing that cases of animal abuse might represent deeper problems, and that collaboration with law enforcement is essential.⁴³ It also highlights the necessity of ACOs to be skilled in collecting crime data, so that cases of animal cruelty and domestic violence are appropriately prosecuted.⁴⁴

VI. Local and State Law

Wausau

The City of Wausau prides itself on being a “fun, vibrant, and highly connected community providing diverse and accessible social, arts, cultural and outdoor recreational experiences and a thriving economy where everyone has the opportunity to achieve success and happiness.”⁴⁵ Wausau’s core values include professionalism (“choos[ing] to take pride in our work, communicate effectively, project a positive image, and deliver service at the highest standards every time, in every situation”); accountability (“accept[ing] responsibility and take

³⁹ Julie M. Palais, PhD, *The link between animal cruelty and public safety*, PM MAGAZINE, Aug. 2020, <https://icma.org/articles/pm-magazine/link-between-animal-cruelty-and-public-safety> (last visited July 18, 2024).

⁴⁰ Id.

⁴¹ Id.

⁴² Id.

⁴³ Id.

⁴⁴ Id.

⁴⁵ City of Wausau, *Mission & Core Values*, <https://www.wausauwi.gov/about-wausau/mission-core-values> (last visited on July 18, 2024).

ownership for our actions”); integrity (“act[ing] ethically, honestly, and lead by example by having our actions reflect our word); respect (“choos[ing] to treat everyone the way we would like to be treated”); and innovation (“consciously striv[ing] to be thought-leaders and creative in seeking opportunities to improve our service delivery”).⁴⁶

In light of this, the citizens of Wausau deserve a robust Animal Control/Humane Officer program with well thought out leadership and mentoring from individual(s) who are highly trained and experienced in animal handling, dealing with difficult and dangerous animals, interacting with the community, and working together with the city to achieve public health goals, as enshrined in the One Health movement, supported by the World Health Organization and others. “Best practices” support that the program be staffed by year-round, highly trained and experienced individuals who are interested in the position not as a steppingstone to something else; but as a goal unto itself, thus providing not the minimum requirements of an animal control program, but a robust program dedicated to the health and welfare of both animals and community members. If CSOs will be utilized, best practices suggest that the individuals operate under the guidance of a highly trained and experienced supervisor, who can provide instruction, mentoring, and ongoing support.

Wausau Code and Animal Control

Section 8.08.001 of the Wausau Code of Ordinances defines “animals” as “any living vertebrate, domestic or wild, except a human being, which may be affected by rabies.”⁴⁷ Additionally, the Code defines “wild animal” as “any native or non-native animal of a species which is generally not bred or kept by human beings and which generally exists untamed and in the wild, or any animal that is wild, ferocious, dangerous or vicious by nature, habit, disposition or character.”⁴⁸ The role of an ACO or HO is not defined outright in the Code; however, the duties of a “humane officer” are sprinkled throughout Title 8.⁴⁹ Duties: the impoundment of “any wild animal, insect or reptile found within the City in violation of this subsection and to seek whatever legal process is

⁴⁶ Id.

⁴⁷ Mun. Code, City of Wausau, § 8.08.001.

⁴⁸ Mun. Code, City of Wausau, § 8.08.001.

⁴⁹ Mun. Code, City of Wausau, Title 8.

necessary to enter private property to carry out the provisions of this subsection;”⁵⁰ the verification of “formal education or sufficient practical experience” by any citizen wishing to act as a beekeeper;⁵¹ “inspect[ion] [of] the premises, obtain photographs or take any other action deemed necessary to properly enforce the provisions of” § 8.08.011 Keeping of Honey Bees;⁵² the quarantine of a dog or cat “if such officer has reason to believe that the animal bit a person, is infected with rabies, or has been in contact with a rabid animal;”⁵³ inspection of a “commercial kennel” prior to the issuance of a new or transfer commercial kennel permit/license;⁵⁴ and receive and investigate complaints lodged alleging violations of this chapter or of applicable state or other law related to a permitted establishment or a person holding a commercial kennel permit” under Chapter 8.08.⁵⁵ Notably, the licensing of pet animals as per § 8.08.170 “Licenses” is under the purview of the City Clerk’s office, describing the annual licensing process, fees, etcetera. This section does not contain any wording regarding the Humane Officer; rather, the City Clerk is the only city employee mentioned in this section.⁵⁶ The responsibility for collection of licensing fees is not enumerated in the Wausau Code.

Wausau Community Service Officers

The Community Service Officer (“CSO”) program in Wausau is under the Police Department. The current job application for CSOs provides for a salary ranging from \$10.75 to \$12.44 hourly, is seasonal, and does not include benefits.⁵⁷ The minimum job requirements are a high school diploma or equivalent; the ability to possess a driver’s license; being at least eighteen years of age or older; and passing a criminal background check.⁵⁸ Duties of a CSO are: knowing, patrolling for, and enforcing Wausau ordinance and Wisconsin state law violations; responding to citizen calls; investigation of juvenile calls/complaints; communication with parents/juveniles; report generation; problem solving with sworn officers, community members, business owners, and

⁵⁰ § 8.08.010.

⁵¹ § 8.08.011.

⁵² § 8.08.011.

⁵³ § 8.08.160(d)(1).

⁵⁴ § 8.08.171(b); §§ 8.08.172 - 174

⁵⁵ § 8.08.175.

⁵⁶ § 8.08.170.

⁵⁷ City of Wausau, Community Services Officer job posting, <https://www.governmentjobs.com/careers/wausauwi/jobs/newprint/803287> (last visited July 18, 2024).

⁵⁸ City of Wausau, Community Services Officer job posting, <https://www.governmentjobs.com/careers/wausauwi/jobs/newprint/803287> (last visited July 18, 2024).

other city employees; and upholding Wausau's core values⁵⁹ of professionalism, accountability, integrity, respect, and innovation.⁶⁰ The purpose of the CSO position in Wausau is to "assist the Wausau Police Department with enforcement of City Ordinances by providing a presence in the community as a non-sworn officer., [having] a significant impact on the quality of life through community partnership, assigned patrols and enforcement, and developed relationships with citizens."

The CSO position may perhaps be able to satisfy the local and state statutory minimum requirements of an ACO/HO; however, given the many other responsibilities listed under their purview, it is unlikely that they will be able to focus on and develop a robust community-centric animal welfare program that includes the industry's best practice standards. It is more likely that if there were at least one individual with the full-time duty of overseeing the scope and administration of the program, providing leadership and mentorship, and perhaps having additional officer support (either from full or part time CSOs or additional dedicated ACO/HOs), Wausau would have the animal welfare program it deserves and that would comport with its goals of

Wisconsin

Wisconsin State Statutes devote an entire Chapter dedicated to "Humane Officers,"⁶¹ and the Wisconsin Administrative Code has an entire Chapter dedicated to "Humane Officer Training and Certification."⁶² The State defines a "Humane Officer" as someone appointed under § 173.03,⁶³ and who exercises powers and carries out duties under § 173.07.⁶⁴ Under § 173.03, the governing body appointing and/or terminating a humane officer "shall report all appointments and terminations of humane officers to the [D]epartment [of Agriculture, Trade, and Consumer Protection," (*hereinafter* "DATCP")).⁶⁵ Section 173.07 describes the "[p]owers and duties of Humane Officers," which comprises four main duties: enforcement, investigation, seeking

⁵⁹ City of Wausau, Community Services Officer job posting, <https://www.governmentjobs.com/careers/ausauwi/jobs/newprint/803287> (last visited July 18, 2024).

⁶⁰ Wausau, Wisconsin, *About Wausau Mission & Core Values*, <https://www.wausauwi.gov/about-wausau/mission-core-values> (last visited July 18, 2024).

⁶¹ Wis. Stat. Ann Chp. 173 Animals; Humane Officers.

⁶² Wis. Adm. Code §§ ATCP 15.01-15.10

⁶³ Wis. Stat. Ann. § 95.21.

⁶⁴ Wis. Adm. Code § 15.01(2).

⁶⁵ § 173.03(1).

subpoenas, and issuance of citations.⁶⁶ Section 173.07(1) describes enforcement as: enforcing the rabies control program outlined in § 95.21;⁶⁷ enforcing § 944.18 laws against bestiality;⁶⁸ enforcing Chapters 174 Dogs⁶⁹ and 951 Crimes Against Animals;⁷⁰ and enforcing city ordinances.⁷¹ Section 173.07(2) describes investigation of alleged violations of statutes and ordinances relating to animals, and gives the power to seek a special inspection warrant under § 66.0119.⁷² Section 173.03(3) allows the humane officer to request subpoenas from the district attorney and to compel testimony and obtain documents in aid of investigations.⁷³ Section 173.03(4) allows the humane officer to issue citations for violations of ordinances if authorized by the city, and to request law enforcement and district attorneys to prosecute violations of state law.⁷⁴ The Wisconsin Administrative Code §§ 13.01-13.04 outlines the requirements for a local rabies control program,⁷⁵ while § 15.10, a “political subdivision shall notify the department in writing whenever the political subdivision appoints or terminates a humane officer. The political subdivision shall give the notice within 30 days after the appointment or termination occurs.”⁷⁶

Wisconsin has an outline of its Humane Officer Program on the DATCP website, which describes how Humane Officers are appointed, their duties/responsibilities, and the training required to become certified by the State of Wisconsin.⁷⁷ The Humane Officer Training Program is administered by the DATCP, by the Law Enforcement Training Institute.⁷⁸ The program is instructed by veterinarians, attorneys, and law officers.⁷⁹ The total fee to become certified under the program is \$635 (includes the course, a testing fee of \$25, and a

⁶⁶ Wis. Stat. Ann. § 173.07.

⁶⁷ Wis. Stat. Ann. § 95.21.

⁶⁸ Wis. Stat. Ann. § 944.18.

⁶⁹ Wis. Stat. Ann. Chp. 174.

⁷⁰ Wis. Stat. Ann. Chp. 951.

⁷¹ Wis. Stat. Ann. § 173.07(1).

⁷² § 173.07(2).

⁷³ § 173.07(3).

⁷⁴ § 173.07(4).

⁷⁵ Wis. Adm. Code §§ ATCP 13.01-13.04.

⁷⁶ Wisc. Adm. Code § ATCP 15.10.

⁷⁷ Department of Agriculture, Trade, and Consumer Protection (*hereinafter* “DATCP”), *Humane Officers Program*, https://datcp.wi.gov/Pages/Programs_Services/HumaneOfficers.aspx (last visited July 19, 2024).

⁷⁸ DATCP, *Humane Officer Training*, STATE OF WISCONSIN, https://datcp.wi.gov/Pages/Programs_Services/HumaneOfficerTraining.aspx (last visited July 18, 2024).

⁷⁹ *Id.*

certification fee of \$35); this fee does not include lodging (if needed; the course is held in Madison, WI).⁸⁰ The training includes content on investigations/evidence/search and seizure, civil liability, Wisconsin Law, facility standards, evaluation of cruelty to include nutrition and body condition scoring, pet shop investigation, photography and sketching, crime scene procedure/collection of evidence, interview/interrogation, report writing, courtroom testimony, crisis intervention, and officer safety.⁸¹ Humane officers must complete a 40-hour training course and pass the final exam, be certified with the DATCP, and complete 32 hours of continuing education every 2 years to maintain certification.⁸² The 40-hour certification course can satisfy the certification mandated by Wisconsin law; however, best practices dictate that this mandated training is a “floor,” that is, a minimum standard.

Both the local Wausau Code and Wisconsin State statutes relating to animals and the duties/responsibilities of humane officers are clearly complex. Recruiting, training, and retention of highly competent and experienced officials should be of paramount concern to the city of Wausau so as to stay abreast of best practices, humane handling, and the implications and risks of handling animals in animal control situations.

VII. Risks of not having trained and experienced ACOs/HOs

Possessing a high degree of awareness concerning the risks associated with aggressive and dangerous animals, including the handling and management of the multitude of domestic and wild species that come under the purview of the ACO/HO's duties, is integral to the position of the ACO/HO. This requires being highly competent in the proper use of protective equipment, protective clothing, and the range of equipment that may be required in handling animals of a variety of species. Adherence to health and safety requirements and proper risk management should be required of the ACO/HO, insofar as is relevant to their role. ACOs/HOs should be expected to maintain robust training and continuing education to understand and promote evolving

⁸⁰ Id.

⁸¹ Department of Agriculture, Trade, and Consumer Protection, *Humane Officer Training*, STATE OF WISCONSIN, https://datcp.wi.gov/Pages/Programs_Services/HumaneOfficerTraining.aspx (last visited July 18, 2024).

⁸² Department of Agriculture, Trade, and Consumer Protection, *Humane Officers Program*, STATE OF WISCONSIN, https://datcp.wi.gov/Pages/Programs_Services/HumaneOfficers.aspx

good health and safety practices and manage risks appropriately so as not to cause liability for the city of Wausau.

VIII. Position Statements on Animal Welfare

ASPCA

Recognizing and reporting animal abuse and neglect:

<https://www.asPCA.org/investigations-rescue/recognizing-and-reporting-animal-abuse-and-neglect>

Animal Legal Defense Fund (“ALDF”)

Animal protection laws rankings: <https://aldf.org/project/us-state-rankings/>

American Veterinary Medical Association (“AVMA”)

1. Model dog and cat control ordinances: <https://www.avma.org/resources-tools/avma-policies/model-dog-and-cat-control-ordinance>
2. Animal control: <https://www.avma.org/javma-news/2021-04-01/animal-shelters-control-officers-aim-be-more-community-centric>
3. Animal welfare principles: <https://www.avma.org/resources-tools/avma-policies/avma-animal-welfare-principles>

Department of Agriculture, Trade, and Consumer Protection (“DATCP”)

1. DATCP Humane Officer Training: https://datcp.wi.gov/Pages/Programs_Services/HumaneOfficerTraining.aspx
2. DATCP Humane Officer Program: https://datcp.wi.gov/Pages/Programs_Services/HumaneOfficers.aspx

National Animal Care & Control Association (“NACA”)

1. NACA Position Statements: <https://www.nacanet.org/naca-position-statements/>
2. NACA Guidelines: https://www.nacanet.org/wp-content/uploads/2019/03/NACA_Guidelines.pdf
3. NACA State ACO Resources: <https://www.nacanet.org/state-resources/>
4. NACA Humane Animal Control Effective Enforcement, Shelter Management, Local Government Support and Community Engagement: <https://www.nacanet.org/wp-content/uploads/2019/03/Best-Friends-Humane-Animal-Control-Manual.pdf>

IX. Conclusion

In essence, ACOs/HOs are an essential part of a local community, responding to and supporting animal welfare, public health, and environmental concerns. Their work ensures a safer, cleaner, and healthier environment for both humans and animals within a community. Their leadership skills, mentoring abilities, training, and experience should be of paramount concern to local municipalities that wish to align themselves with current concepts of One Health, and human and animal welfare. Best practices endorsed by national organizations, such as NACA, should be explored and supported in all municipalities.

X. Grant Opportunities in Animal Welfare⁸³ (not an inclusive list)

Grant writing and resources

https://theaawa.org/resource_library/grants/

Running a capital campaign:

<https://humanepro.org/magazine/articles/climbing-mountain>

Smart moves for winning grants:

<https://humanepro.org/magazine/articles/smart-moves-winning-grants>

State Grant resources:

<https://www.tgci.com/funding-sources>

Animal Disaster Funding – <http://www.animaldisasterfunding.org/>

ASPCA, Petco Love, Petfinder Foundation, and PetSmart Charities®)

ASPCA – <http://www.aspcapro.org/grants>

Best Friends Animal Society – Rachael Ray Grants 2022 | Network Partners (bestfriends.org)

Bissell Pet Foundation – Grants (bissellpetfoundation.org)

Dorris Day Animal Foundation – <http://www.dorisdayanimalfoundation.org/grants>

Friends for Pets Foundation – Friends For Pets Foundation – Grants

Great Good Charities Rescue Bank Rescue Bank (greatergood.org)

Hill's Food, Shelter & Love – <http://www.hillspet.com/food-shelter-love/shelter-application.html>

Maddie's Fund – <https://www.maddiesfund.org/challenges.htm>

Michaelson Found Animals Saving Pets Challenge – <http://www.foundanimals.org/pet-professionals/>

Pedigree Foundation – <https://www.pedigreefoundation.org/>

Petco Love – <https://www.petcolove.org/>

Petco – Disaster relief – <https://petcolove.org/shelter-partners/grants/>

PetSmart Charities – <https://www.petsmartcharities.org/pro/grants>

Purina Shelter Champions – Shelter Champions (purinashelterchampions.com)

RedRover – <https://redrover.org/grants-organizations>

California for all Animals Grants – <https://www.californiaforallanimals.com/grants/welcome-grants/>

⁸³ NACA, *Grant Opportunities*, <https://www.nacanet.org/grant-opportunities/> (last visited July 18, 2024.)

Humane Society of the United States – <https://www.animalsheltering.org/grant-listings>

American Humane
ASPCA Grants program
Banfield Foundation
The Binky Foundation
Bissell Pet Foundation
The Doris Day Animal Foundation
Giveeffect
The Grey Muzzle Organization
The Kenneth A. Scott Charitable Trust
Laura J. Niles Foundation
Live Stream Camera Grant for Animal Welfare
Maddie's Fund
National Dog Abuse Investigation and Prosecution Program
Oxbow Animal Rescue Grant
The Pedigree Foundation
Petco Love
Petfinder Foundation
PetSmart Charities, Inc.
The Rachel Ray Foundation
The Summerlee Foundation
USDA Rural Development Community Facilities Direct Loan & Grant Program
William and Charlotte Parks Foundation for Animal Welfare
Animal Grantmakers
Foundation Center's Foundation Stats

The Association for Animal Welfare Advancement grant database:

https://theaawa.org/resource_library/grant-database/
AKC Breed Rescue Grant
AKC Women's Shelter Grant
American Humane "Feed the Hungry" Grant
Animal Farm Foundation
ASPCA New York State Animal Population Control Program
ASPCA Open-Access Publishing Fund (OAPF)
ASPCA Research Grants
Banfield Foundation Disaster Relief Grant
Banfield Foundation Veterinary Medical Equipment Grant
Banfield Foundation Community Care Grant
Banfield Foundation Care Knows No Boundaries® Grant
Binky Foundation
Department of Agriculture: Distance Learning and Telemedicine Grants
EveryCat Health Foundation Annual Grant Awards
Giveeffect
Grey Muzzle Grant
Hugs & Kisses Animal Fund
Kenneth A. Scott Charitable Trust
Laura J. Niles Foundation
Live Stream Camera Grant for Animal Welfare
National Dog Abuse Investigation and Prosecution Assistance Program
Mabee Foundation

Make Me Smile Program Shelter Dentistry Grant
Microsoft Grants and Technology Offers for Nonprofits
Not One More Vet (NOMV) Support Grant
Pedigree Foundation Disaster Relief and Emergency Care for Puppy Mill Seizures
Pedigree Foundation Grants: Program Development; Dogs rule grant
Petco Love Access to Care
Petco Love Animal Welfare Organizations
Petco Love Love Stories
Petco Love Shelter Pet Cancer Treatment
Petco Love Vaccinated & Loved
Petco Love Disaster Relief
Petfinder Foundation
Red Rover Safe Housing
Southface Institute: GoodUse Grants



NACA Statement on Recognizing the Role of the Animal Control Officer

NACA recommends animal control officers receive compensation, training, resources, and equipment necessary to perform the critical services they provide to their communities.

More specifically, NACA advocates animal control officers be given appropriate humane handling equipment, vehicles in good condition, standardized uniforms, and personal safety equipment. Ideally, animal control officers should also have access to microchip scanners, laptop computers, leashes, collars, pet food, pet supplies, and other resources that enable them to effectively support pets and people in their communities. Finally, NACA recommends agencies review officer compensation to determine if existing salaries are sufficient to recruit and retain qualified and skilled animal control officers.

Animal control officers (ACOs) perform a vast number of services related to pets and people. They work long hours, in dangerous situations, in inclement weather, and oftentimes with inadequate resources, training, and equipment. Animal control officers in most areas are responsible for more than enforcing animal laws; they also assist law enforcement as the animal experts in their community, provide the services of social workers, risk their lives as emergency responders, mitigate community member conflicts, and much more.

They work closely with the justice system, including prosecutors and judges, local and state law enforcement agencies, elected and appointed officials, state veterinarian and health department, the local rabies authority, the fire department, code enforcement, and social services agencies. Although not traditionally classified as first responders, animal control officers perform essential work that ensures public safety for both humans and animals.

Here are just a few of the services provided by animal control officers across the U.S.:

- Overseeing rabies quarantines
- Rescuing pets in extreme cold and heat
- Investigating dangerous and vicious dog cases
- Investigating dog bites
- Preventing unnecessary shelter intake and helping to reunite lost pets with their people
- Inspecting pet stores and animal rescues
- Investigating animal neglect, cruelty, hoarding, and intentional acts of abuse
- Following up on veterinary and court-ordered inspections of homes
- Addressing noise and waste complaints
- Mitigating complaints about outdoor and free-roaming cats



- Rescuing lost and stray animals that are sick, injured, or in immediate danger
- Providing food, supplies, and medical support to pet owners
- Repairing/building fences for dog owners
- Catching and/or trapping individual loose dogs
- Assisting pet owners who are in crisis including incarceration and evictions
- Responding to emergencies
- Assisting pet owners experiencing homelessness
- Managing welfare cases and sick or injured wildlife, exotic animals, and farmed animals
- Transporting pets
- Providing humane education and outreach
- Provide information to owners on humane pet care
- Picking up and disposing of deceased animals
- Supporting community cat programs (TNR and SNR)

In summary, animal control officers today perform a wide variety of functions far beyond the outdated “dog catcher” characterization of the past. They deserve to be properly equipped, trained, and compensated for this complex and difficult work. For a complete listing of the recommended guidelines for animal control officers, visit [National Animal Care & Control Association | Welcome to NACA's Online Community! \(nacanet.org\)](https://www.nacanet.org)



NACA Statement on Minimum Training Requirements for Animal Care & Control Professionals

It is the position of NACA that every animal control officer should receive, at minimum, the below-outlined training. Requiring minimum training standards will increase safety for officers, animals, and the communities they serve. Furthermore, it is the position of NACA that officers should be required to complete continuing education units to remain relevant and current with national trends and evolving standards.

The recommendations outlined in this document are intended to serve as support to officers and agencies who are advocating for professional development training and funding for training for their officers.

Animal Control Officers (ACOs) perform a variety of services related to pets and people. They work long hours, in dangerous situations, in inclement weather, and oftentimes with inadequate resources, training, and equipment. Animal control officers in most areas are responsible for more than enforcing animal laws; they also assist law enforcement as the animal experts in their community, provide the services of social workers, risk their lives as emergency responders, mitigate community member conflicts, and much more. They work closely with the justice system, including prosecutors and judges, local and state law enforcement agencies, elected and appointed officials, the state veterinarian and health department, the local rabies authority, the fire department, code enforcement, and social services agencies. Although not traditionally classified as first responders, animal control officers perform essential work ensuring public safety for humans and animals.

Animal Control Officers should, at a minimum be trained on:

- Animal behavior and safe animal handling
- Communication and de-escalation techniques
- Public perception
- Multicultural community engagement; Diversity, equity, inclusion, and belonging.
- Animal first aid
- Basic animal investigations including but not limited to:
 - Search warrants
 - Evidence collection and preservation
 - Report writing
 - Courtroom procedures and testimony
- Animal health including but not limited to:
 - Nutrition
 - Disease recognition, zoonosis, prevention, and herd health
- Animal husbandry
- Local, state, and federal laws relating to animal cruelty and neglect.
- Rabies prevention and processes

In today's world, it is vital that animal control officers are trained to safely perform their job. Ensuring minimum training standards are met across the nation will help improve accountability, consistency,



retention, and reputation, and increase the professionalism of the animal control officer by proactively identifying skill gaps.

NACA recommends when selecting a training vendor other than NACA, that industry best practices are used in helping to determine your selection:

- Does the training provider understand the culture of today's animal care and control professional and the evolving complexities of the role?
- What accreditation do they offer?
 - Approval or endorsement by NACA is a stamp of quality.
- Do the trainers possess the expertise and experience you are looking for?
- Do they offer multi-channel and innovative learning methodologies?
- Do they measure progress and record attendance?
- Can they customize their content to suit your agency's needs?
- Ask for recommendations from other trusted professionals.

A list of NACA endorsed training sources can be found on the NACA Training webpage: [National Animal Care & Control Association | NACA Professional Development for ACOs \(nacatraining.org\)](https://nacatraining.org)

The National Animal Care & Control Association is committed to setting the standard of professionalism in animal welfare and public safety through training, networking, and advocacy.



SAVING LIVES BY TAKING A **ONE HEALTH** APPROACH

Connecting human, animal, and environmental health

More than half of all infections that people can get can be spread by animals. Diseases like rabies, *Salmonella*, and West Nile virus infections are examples of zoonotic diseases (or zoonoses)—diseases that can be shared between animals and people.

Every year, tens of thousands of Americans will get sick from diseases spread between animals and people. Animals can sometimes serve as early warning signs of potential illness in people. For example, birds often die of West Nile virus before people get sick with West Nile virus fever.

National Center for
EMERGING and ZOO NOTIC INFECTIOUS DISEASES
One Health Office



HUMAN, ANIMAL, AND ENVIRONMENTAL HEALTH ARE **LINKED**



Cows graze next to a lettuce field. Cows can carry *E. coli* but still look healthy.



E. coli from cow manure in the nearby farm can contaminate the lettuce field.



People eat contaminated lettuce and can become infected with *E. coli*. Serious illness or sometimes death can result.

CDC's One Health Office recognizes that the health of people is connected to the health of animals and our shared environment.

A One Health approach encourages collaborative efforts of many experts (like disease detectives, laboratorians, physicians, and veterinarians) working across human, animal, and environmental health to improve the health of people and animals, including pets, livestock, and wildlife.



WHAT THE ONE HEALTH OFFICE IS DOING IN THE U.S.

- Working with multiple partners to **educate rural youth** in agricultural organizations like 4-H and the Future Farmers of America about preventing the spread of diseases shared between people and animals like zoonotic influenza viruses. These newly formed One Health teams have reached thousands of young people and their families in states across rural America.
 - One important outcome was the rapid response to an outbreak of flu in people who had attended agricultural fairs in Ohio and Michigan. These new One Health teams helped **pinpoint the source of the illness**—infected swine exhibited at the fairs.
- Responding to **outbreaks** and **public health emergencies**, such as examining the risk of Ebola and Zika viruses to pets and other animals.
- Protecting Americans by preventing **diseases they can get from their pets** like *Salmonella* infection and rat bite fever.
 - Due to an increasing number of outbreaks, the One Health Office is leading the **Zoonoses Education Coalition**. This public-private partnership is developing evidence-based recommendations to prevent diseases for pet owners, breeders, and stores.
 - These recommendations were used during an **outbreak of Seoul virus** that was spread to people by pet rats.
 - The One Health Office shares tips about **how to stay healthy** while enjoying pets on CDC's **Healthy Pets, Healthy People** website.



WHAT THE ONE HEALTH OFFICE IS DOING AROUND THE WORLD



**EACH YEAR AROUND THE WORLD,
IT IS ESTIMATED THAT ZOOSES
(diseases shared between people and animals)
CAUSE 2.5 BILLION CASES OF SICKNESS
AND 2.7 MILLION DEATHS**

Diseases can spread around the world very quickly, so it's important for CDC's One Health Office to work closely with other countries to **build strong partnerships** with human, animal, and environmental health organizations. This protects Americans from illnesses that cross borders and affect travelers.

Globally, the One Health Office is taking a strategic, targeted approach to control and prevent infectious diseases. For example, experts from the One Health Office lead **One Health Zoonotic Disease Prioritization Workshops** so that countries can focus limited resources on their top zoonotic diseases of greatest national concern. Zoonotic diseases commonly prioritized include viral hemorrhagic fevers such as Ebola virus and Rift Valley fever, zoonotic influenza viruses, rabies, and anthrax.

- Workshop participants include a wide-ranging group of people who protect health—of people, animals, or the environment—and they **identify a country's top 5 diseases** to target for One Health collaborations.
- Workshop participants develop strategies to **tackle the newly prioritized zoonotic diseases**. For example, having a dog vaccination campaign for rabies can lead to fewer human rabies deaths in a country.
- Prioritizing diseases means countries can **more efficiently** build lab capacity, conduct disease surveillance, plan outbreak response and preparedness activities, and create disease prevention strategies to **reduce illness and death in people and animals**.



OUR CHARGE

CDC's One Health Office works in the United States and around the world to protect the health of humans, animals, and the environment.

ONE HEALTH IN ACTION: A SUCCESS STORY



In the southwestern U.S. and Mexico, brown dog ticks can carry a germ that causes Rocky Mountain spotted fever in people and dogs.



In Arizona, free-roaming dogs were spreading infected ticks. Many people got sick and some died from Rocky Mountain spotted fever.



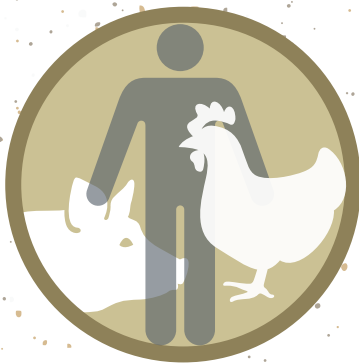
Public health and animal health officials used long-lasting tick collars on dogs, regular pesticide applications around homes, community education, and provided free spay and neuter clinics for dogs.



After only 4 months, 99% of dogs were tick-free in the community. The number of people who had Rocky Mountain spotted fever went down in the community.

ONE HEALTH means a collaborative, multisectoral, and trans-disciplinary approach—working at the local, regional, national, and global levels—with the goal of achieving optimal health outcomes recognizing the interconnection between people, animals, plants, and their shared environment.

Looking ahead: How a One Health Approach BETTER PREPARES US



More testing and monitoring to detect illnesses in animals and people...



...and farms following standards to protect animals, the people who work there, and the farm environment...



...could help prevent an influenza pandemic.

Grants to support Animal Control Programs¹

“To meet today’s demands, animal care and control agencies are being asked to provide additional programs and services, often without an increase in their operating budgets. Meeting these additional expectations requires animal care and control agencies to be creative, and to seek the help of others. Although this is not an exhaustive list, here are a few of the grant opportunities available to animal care and control agencies.

If you are aware of additional grant opportunities not listed, [please email it to us](#).

Direct Grant Opportunities

Animal Disaster Funding – <http://www.animaldisasterfunding.org/>

The Animal Disaster Funding Collaborative – a collective of animal welfare groups across the U.S. (A Kinder World Foundation, the [ASPCA](#), [Petco Love](#), [Petfinder Foundation](#), and [PetSmart Charities®](#)) – is currently accepting applications from animal welfare organizations that were directly impacted by Hurricane Ian.

ASPCA – <http://www.aspcapro.org/grants>

Best Friends Animal Society – [Rachael Ray Grants 2022 | Network Partners \(bestfriends.org\)](#)

Bissell Pet Foundation – [Grants \(bissellpetfoundation.org\)](#)

Dorris Day Animal Foundation – <http://www.dorisdayanimalfoundation.org/grants>

Friends for Pets Foundation – [Friends For Pets Foundation – Grants](#)

Great Good Charities Rescue Bank [Rescue Bank \(greatergood.org\)](#)

Hill’s Food, Shelter & Love – <http://www.hillspet.com/food-shelter-love/shelter-application.html>

Maddie’s Fund – <https://www.maddiesfund.org/challenges.htm>

Michaelson Found Animals Saving Pets Challenge

– <http://www.foundanimals.org/pet-professionals/>

Pedigree Foundation – <https://www.pedigreefoundation.org/>

Petco Love – <https://www.petcolove.org/>

Petco – Disaster relief – <https://petcolove.org/shelter-partners/grants/>

PetSmart Charities – <https://www.petsmartcharities.org/pro/grants>

Purina Shelter Champions – [Shelter Champions \(purinashelterchampions.com\)](#)

RedRover – <https://redrover.org/grants-organizations>

California for all Animals Grants

– <https://www.californiaforallanimals.com/grants/welcome-grants/>

Humane Society of the United States – <https://www.animalsheltering.org/grant-listings>

- [American Humane](#) administers various grants and awards.
- [ASPCA Grants program](#) provides support to a variety of U.S.-based nonprofit animal welfare organizations through cash grants, sponsorships, and training.

¹ NACA, *Grant Opportunities*, <https://www.nacanet.org/grant-opportunities/> (last visited July 18, 2024.)

- [**Banfield Foundation**](#) funds U.S. programs designed to keep pets and owners together. Various opportunities exist for 501(c)(3) organizations.
- [**The Binky Foundation**](#) offers a streamlined grant program for fledgling animal welfare organizations – shelters, rescue groups, TNR programs and others – providing “First Steps” and “Forward Steps” grants.
- [**Bissell Pet Foundation**](#) recognizes the lifesaving efforts of animal shelters and rescues of all sizes across the country. Grants are offered on various topics.
- [**The Doris Day Animal Foundation**](#) grants are awarded by invitation only to previous grantees.
- [**Giveeffect**](#) offers software grants to eligible nonprofit organizations to help accelerate digital transformation and realize significant gains in fundraising and community building through donor and volunteer management, productivity, and cost-efficiency.
- [**The Grey Muzzle Organization**](#) provides yearly grants and special programs for 501(c)(3) organizations whose activities include helping senior dogs.
- [**The Kenneth A. Scott Charitable Trust**](#) invites proposals from active 501(c)(3) humane organizations based in the USA for projects designed to enhance the well-being of animals in Ohio and in the Great Lakes region (IL, IN, MI, WI, Western PA, Upstate NY, and Northeastern MN).
- [**Laura J. Niles Foundation**](#) supports charitable initiatives that foster life enrichment through canine and other animal companionship. The foundation's areas of concentration center around canine health research, animal protection & adoption, search & rescue training, human assistance and similar fields of interest.
- [**Live Stream Camera Grant for Animal Welfare**](#) aims to provide non-profit organizations like animal sanctuaries a way to further their outreach efforts in these uncertain times. At CCTV Camera World we support animal conservation because we would like to see a world where our children can grow up with biodiversity. We welcome organizations that are serious about animal conservation and advocate for continued support of a diverse ecosystem. This grant provides a livestream camera with necessary cable to allow streaming to YouTube Live.
- [**Maddie's Fund**](#) offers a variety of grants for animal welfare organizations.

- [**National Dog Abuse Investigation and Prosecution Program**](#) provides prosecutors with the resources to ensure that canine cruelty and dogfighting cases are thoroughly investigated and properly adjudicated by addressing some of the financial barriers that exist for law enforcement and prosecutors.
- [**Oxbow Animal Rescue Grant**](#) supports operating and programs for rescue organizations caring for specific species of small mammals, exotics and wildlife.
- [**The Pedigree Foundation**](#) offers grants to 501(c)(3) organizations for programs that help dogs.
- [**Petco Love**](#) supports non-profit animal organizations that care for animals in need, fight pet cancer, and celebrate our Helping Hero therapy and working animals.
- [**Petfinder Foundation**](#) offers a variety of grants to Petfinder members in good standing.
- [**PetSmart Charities, Inc.**](#) supports nonprofits, municipalities, and animal welfare organizations whose companion animal programs help enrich lives through the human-animal bond.
- [**The Rachel Ray Foundation**](#) partners with Best Friends Animal Society and has two grant opportunities available for Best Friends Network Partners.
- [**The Summerlee Foundation**](#) seeks to help the most overlooked, underfunded, and heavily exploited animals. The majority of our funding goes to small and medium-sized, lean and agile groups where we believe our contribution can be used quickly and have an out-sized impact. Our grant making is focused on assisting organizations in the United States (with a limited amount of Canadian funding). We believe in balancing hands-on, urgent, direct care for individual animals with efforts to address the root causes of suffering to affect a more enduring, systemic change.
- The [**USDA Rural Development Community Facilities Direct Loan & Grant Program**](#) offers loans and grants for essential community facilities, including municipal and private animal shelters.
- The [**William and Charlotte Parks Foundation for Animal Welfare**](#) makes awards, usually not more than \$10,000 per annum, to support projects, research, and other activities calculated to advance the welfare of animals.

Find additional funding opportunities by visiting [Animal Grantmakers](#), an affinity group of foundations and organizations making grants to benefit animals.

Use the [Foundation Center's Foundation Stats](#) tool to explore the top funders of animal-related programs.

Running a capital campaign: <https://humanepro.org/magazine/articles/climbing-mountain>

Smart moves for winning grants: <https://humanepro.org/magazine/articles/smart-moves-winning-grants>

State Grant resources: <https://www.tgci.com/funding-sources>

The Association for Animal Welfare Advancement grant database:
https://theaawa.org/resource_library/grant-database/

Grant writing and resources https://theaawa.org/resource_library/grants/

*(*no grant submission deadline)*

[AKC Breed Rescue Grant](#) *

[AKC Women's Shelter Grant](#) *

[American Humane "Feed the Hungry" Grant](#) *

[Animal Farm Foundation](#) *

[ASPCA New York State Animal Population Control Program](#) *

[ASPCA Open-Access Publishing Fund \(OAPF\)](#) *

[ASPCA Research Grants](#)

Applications accepted February 15 – June 30, 2024

[Banfield Foundation Disaster Relief Grant](#) *

[Banfield Foundation Veterinary Medical Equipment Grant](#)

Applications accepted in February, May, August, and November

[Banfield Foundation Community Care Grant](#)

Applications accepted in January, April, July, October

[Banfield Foundation Care Knows No Boundaries® Grant](#) *

[Binky Foundation](#) *

Department of Agriculture: Distance Learning and Telemedicine Grants

Application deadline: April 29, 2024

EveryCat Health Foundation Annual Grant Awards

Giveeffect

Grey Muzzle Grant

Applications accepted Feb. 20 – Mar. 19, 2024

Hugs & Kisses Animal Fund *

Kenneth A. Scott Charitable Trust

Deadlines: January 15, 2024; May 15, 2024; August 15, 2024

Laura J. Niles Foundation*

Live Stream Camera Grant for Animal Welfare

Deadline: March 31, June 30, September 30, December 31

National Dog Abuse Investigation and Prosecution Assistance Program *

Mabee Foundation

Capital Support provided in AR, KS, MO, NM, OK, and TX

Deadline: the first business day of March, June, September, and December

Make Me Smile Program Shelter Dentistry Grant from Foundation for
Veterinary Dentistry (FVD)

Deadline: May 1, 2024

Microsoft Grants and Technology Offers for Nonprofits

Not One More Vet (NOMV) Support Grant

Pedigree Foundation Disaster Relief and Emergency Care for Puppy Mill
Seizures *

Pedigree Foundation Grants: Program Development; Dogs rule grant

Deadline: April 14, 2024

Petco Love Access to Care

Deadline: April 1 – April 30

Petco Love Animal Welfare Organizations

Deadline: June 1 – July 31

Petco Love Love Stories

Deadline: August – October

[Petco Love Shelter Pet Cancer Treatment*](#)

[Petco Love Vaccinated & Loved*](#)

[Petco Love Disaster Relief*](#)

[Petfinder Foundation *](#)

[Red Rover Safe Housing](#)

Deadlines: March 1, June 1, and September 1

[Southface Institute: GoodUse Grants](#) support facilitates Energy Efficiency

Upgrades for Nonprofits

Deadlines: June 14 and October 11

[EXTERNAL] Re: Animal Control Best Practices Information

Cathryn Calia Schrope <ccalia@aldf.org>

Wed 7/31/2024 2:52 PM

To: Terry Kilian <Terry.Kilian@ci.wausau.wi.us>

Cc: Emily Lewis <elewis@aldf.org>

Hello again Ms. Kilian,

Additionally, just so you are aware, in order to become familiar with the animal control issue in front of the Council, part of my research for the Best Practices Research Memo was watching fully the Human Resources council meeting YouTube recordings, as well as fully reading the minutes/packets posted on the Wausau city website for the meetings. I hope this clarifies our interest in this matter.

Best regards,

Katy Calia Schrope, DVM, DACVIM (SAIM) | Criminal Justice Program Clerk

Animal Legal Defense Fund | aldf.org

ccalia@aldf.org | (707) 795-2533

Animal Legal Defense Fund Clerks are not licensed to practice law.



From: Cathryn Calia Schrope

Sent: Wednesday, July 31, 2024 3:30 PM

To: Terry.Kilian@ci.wausau.wi.us <Terry.Kilian@ci.wausau.wi.us>

Cc: Emily Lewis <elewis@aldf.org>; Cathryn Calia Schrope <ccalia@aldf.org>

Subject: Animal Control Best Practices Information

Hello Ms. Kilian,

I am a board-certified veterinary internal medicine specialist as well as a summer law clerk with the Animal Legal Defense Fund, a non-profit institution dedicated to animal welfare. Thank you for speaking with me today about the recent City Council Animal Control proposal in Wausau. We respectfully submit to you the attached information packet on best practices in animal control, which we hope will be of assistance. Please feel free to share this information with the City Council and the City Clerk.

Please contact my supervisor, Emily Lewis, if you have any questions or concerns (elewis@aldf.org).

Wishing Wausau all the best,

Katy Calia Schrope, DVM, DACVIM (SAIM) | Criminal Justice Program Clerk

Animal Legal Defense Fund | aldf.org

ccalia@aldf.org | (707) 795-2533

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

RESOLUTION OF THE FINANCE COMMITTEE

Approving 2024 Budget Modification– Hot Mix to Complete Additional Mill and Overlay Street Maintenance

Committee Action: Approved

Fiscal Impact: \$200,000

File Number: 23-1109S

Date Introduced: August 19, 2024

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☐ No ☒	
	<i>Included in Budget:</i>	Yes ☐ No ☒	<i>Budget Source: Winter Maintenance Savings</i>
	<i>One-time Costs:</i>	Yes ☒ No ☐	<i>Amount: \$200,000</i>
	<i>Recurring Costs:</i>	Yes ☐ No ☒	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐ No ☒	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☐ No ☒	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes ☐ No ☒	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☒	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> ☐ <i>Debt</i> ☐ <i>Funds on Hand</i> ☐ <i>Interfund Loan</i> ☐		

RESOLUTION

WHEREAS, the first quarter 2024 winter was mild with limited snowfall which resulted in budget savings; and

WHEREAS, public works staff propose moving \$200,000 from the winter maintenance budget to the street maintenance budget and fund mill and overlay work within the city; and

WHEREAS, your Finance Committee has reviewed and recommends the proposed budget modification.

NOW THERE BE IT RESOLVED, by the Common Council of the City of Wausau that the proper City officials are hereby authorized and directed to modify the 2024 Budget to transfer \$200,000 from the winter maintenance budget to street maintenance.

Approved:

Doug Diny, Mayor

Dept. of Public Works & Utilities



Eric Lindman, P.E.
Director of Public Works & Utilities

TO: Finance Committee

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: July 23, 2024

SUBJECT: Hot Mix Budget Modification – 2024 Winter Surplus

Due to a mild first/second quarter 2024 winter it is proposed to utilize the savings to complete additional mill and overlay projects in the city using the Streets & Maintenance Division.

Currently the Streets & Maintenance Division has an original hot mix budget of about \$260,000, an additional \$500,000 (\$200,000 in-house and \$300,000 contract work) was added from ARPA funding and this proposed budget modification would add an additional \$200,000, for a total of \$660,000 of in-house mill and overlay work to be completed in 2024.

The newly purchased equipment in 2024 has proven to be a significant benefit for the crews and has created many efficiencies in our operations and allowed for a better-quality work in less time. These efficiencies allow the crews to complete more work during the construction season.

Please consider this budget modification in the amount of \$200,000 to complete additional mill and overlay work within the city.

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

RESOLUTION OF THE FINANCE COMMITTEE

Approving 2024 Budget Modifications – General Fund Balance Transfer for the Purchase Water Meters.

Committee Action: Approved 5-0

Fiscal Impact: \$1,000,000

File Number: 23-1109T

Date Introduced: August 19, 2024

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☐ No ☒	
	<i>Included in Budget:</i>	Yes ☐ No ☒	<i>Budget Source: General Fund Reserves</i>
	<i>One-time Costs:</i>	Yes ☒ No ☐	<i>Amount: \$1,000,000</i>
	<i>Recurring Costs:</i>	Yes ☐ No ☒	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes ☐ No ☒	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes ☐ No ☒	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes ☐ No ☒	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☒	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> ☐ <i>Debt</i> ☐ <i>Funds on Hand</i> ☐ <i>Interfund Loan</i> ☐		

RESOLUTION

WHEREAS, in 2018 the Wausau Waterworks Commission made the decision to switch from Neptune water meters to Sensus water meters due to their extended life, superior remote reading performance and reduced replacement schedule; and

WHEREAS, the financial obligations of the water plant and PFAS filtration needs has created financial challenges that limit the water utility’s capacity to replace these meters timely; and

WHEREAS, the replacement of the meters will improve the accuracy of meter reading, reduce water loss, improve staff reading efficiency, reduce duplication of expense and effort and allow for monthly billing; and

WHEREAS, your Finance Committee has reviewed the financial condition of the general fund reserves and recommends a \$1,000,000 one-time transfer from General Fund reserves to finance the meter purchases.

NOW THERE BE IT RESOLVED, by the Common Council of the City of Wausau that the proper City officials are hereby authorized and directed to modify the 2024 Budget to transfer \$1,000,000 from the General Fund reserves to the Water Utility for the purchase of Sensus Water meters.

Approved:

Doug Diny, Mayor

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

RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE

Approving or Denying Various Licenses as Indicated.

Committee Action: Approved 5-0

Fiscal Impact: None

File Number: 24-0108

Date Introduced: August 19, 2024

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, your Public Health and Safety Committee considered certain license applications at its July 15, 2024 and August 19, 2024, meetings, and has made recommendations that are attached hereto and recommends these actions to the Council for its approval, now therefore

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

Approved:

Doug Diny, Mayor



Council Date 08/13/2024

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
199177	9010 - Bartender/Operator New	BETTS-ROJAS, JOHNATHAN	168355 COUNTY RD G WAUSAU WI 54403		KRIST FOOD MART #61	06/28/2024	06/30/2025	No	No	
182004	9020 - Public Transport Driver Renewal	BRENCHLEY, BRANDEN	221 SCOTT ST APT 545 WAUSAU WI 54403		NORTHWOODS CAB	07/02/2024	06/30/2025	Yes	Yes	
196697	9020 - Public Transport Driver Renewal	HORST, PHILIP	607 N SALES ST MERRILL WI 54452		NORTHWOODS CAB	06/27/2024	06/30/2025	Yes	Yes	
199026	9020 - Public Transport Driver Renewal	REISSMANN, JONATHAN	3602 MOUNT VIEW AVE APT 9 SCHOFIELD WI 54476		NORTHWOODS CAB	06/24/2024	06/30/2025	Yes	Yes	
200398	9026 - Class I	,	318 S 3RD AVE, ROOM 5 WAUSAU WI 54401	LABOR DAY PARADE on 09/02/2024 Organized by NORTH CENTRAL WI LABOR COUNCIL						
198942	9026 - Class I	WHITTUM, MALCOLM	1913 BROOKVIEW CT. WAUSAU WI 54403	2024 ALL STARS UNDER THE STARS on 8/21/24 Organized by Malcolm Whittum					Yes	
200107	9027 - Class II	EICHTEN, ALEX	316 SCOTT ST WAUSAU WI 54403	MINI MARKET FOOD TRUCK RALLY on 09/07/2024 Organized by WAUSAU RIVER DISTRICT						
199266	9064 - "Class B" Beer & Liquor	,	1014 N 4TH AVE WAUSAU WI 54401		JULIETT COCKTAILS	07/02/2024	06/30/2025	Yes	Yes	



Council Date 08/13/2024

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
199551	9080 - Public Transport Driver New	BAGLEY, LOUISE	1016 S 5TH AVE #207 ANTIGO WI 54409		NORTHWOODS CAB	07/12/2024	06/30/2025	Yes	Yes	
196705	9080 - Public Transport Driver New	MCGUIRK, CHRISTOPHER	619 NINA AVE WAUSAU WI 54403		BLUE JAY TAXI	06/25/2024	06/30/2025	No	No	

Total Licenses

9

Kody Hart, Deputy City Clerk



TEL: (715) 261-6616

FAX: (715) 261-6626

TO: Public Health & Safety Committee

FROM: Kody Hart, Deputy City Clerk

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

DATE: July 12, 2024

Applications as listed have or will have a background check run by staff and reviewed by the Police Chief or a designee. In accordance with city ordinance, all permits approved are held for debts owed to the city until the debt is paid in full.

STAFF RECOMMENDATIONS

Approve or deny as indicated on the summary report attached, including those that may be introduced at the meeting. Further summaries on staff recommendations are outlined below.

1. **Denial Recommendations –New Public Transport License: Christopher McGuirk** – This application is recommended for denial due to recent methamphetamine conviction; **New Bartender/Operator License: Johnathan Betts-Rojas** – This application is recommended for denial due to being currently charged with Strangulation/suffocation and 3rd Degree Sexual Assault.
2. **Approval Recommendation – Special Event Class I Permits: The Hmong Wausau Festival** located at People’s Sports Complex on July 27th – 29th, 2024 from 8 PM to 10 PM, license applicant Hmong American Center, Inc., Yee Leng Xiong; **All Stars Under the Stars** located at the 400 Block on August 21st, 2024, from 8 AM to 11 PM, license applicant Malcolm Whittum.
3. **Approval Recommendation – “Class B” Beer & Liquor License:** The Liquor License Review Subcommittee reviewed the application of **Juliett Cocktails** located at 608 N. 3rd Street, license applicant Night Tribe Hospitality LLC, owner Jeffrey Dixon. The Liquor License Review Subcommittee will bring the recommendation to the committee meeting.
4. **Approval Recommendations – Temporary “Class B” Picnic Licenses –VFW Burns Post 388 at the Wisconsin Valley Fair** located at Marathon Park on July 30th – August 4th, 2024, license applicant VFW Burns Post 388; **Marathon County Agricultural Society at the Wisconsin Valley Fair** located at Marathon Park on July 30th – August 4th, 2024, license applicant Marathon County Agricultural Society; **Fun@5** located at 209 W. Washington Street on August 15th, 2024, license applicant Wausau Area Chamber of Commerce.
5. **Approval Recommendation – Sidewalk Café with Alcohol Permit: Jefferson Street Inn** located at 201 Jefferson Street, license applicant Montavis Johnson.

Kody Hart, Deputy City Clerk



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FAX: (715) 261-6626

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STAFF RECOMMENDATIONS

Approve or deny as indicated on the summary report attached, including those that may be introduced at the meeting. Further summaries on staff recommendations are outlined below.

1. **Denial Recommendations – New Bartender/Operator License: Heather Vince** – This application is recommended for denial due to recent convictions of possession of methamphetamine and charges of drug paraphernalia.
2. **Approval Recommendation – Special Event Class I Permit: 2024 Labor Day Parade** from W. Wausau Avenue to Clark Street along 3rd Avenue on September 2nd, 2024 from 3 PM to 6 PM, license applicant North Central WI Labor Council, Randy Radkte.
3. **Approval Recommendation – Special Event Class II Permits: Mini Market Food Truck Rally** at 406 S. 2nd Avenue and on 2nd Avenue from Stewart Avenue to Clerk Street on September 7th, 2024 from 11:00 AM to 3:00 PM, license applicant Wausau River District, Alex Eichten; **International Wisconsin Ginseng Festival** at the 400 Block on September 20th – 21st, 2024 from 10 AM to 5 PM, license applicant Wausau/Central Wisconsin Convention and Visitor's Bureau, Jodi Maguire.
4. **Approval Recommendation – "Class A" Beer & Liquor License: True North #855** at 4611 Stewart Avenue, license applicant True North Energy, LLC., agent Michelle Knox.
5. **Approval Recommendation – Cigarette License: True North #855** at 4611 Stewart Avenue, license applicant True North Energy, LLC., agent Michelle Knox.
6. **Approval Recommendations – Temporary "Class B" Picnic Licenses – Mini Market Food Truck Rally** at 406 S. 2nd Avenue and on 2nd Avenue from Stewart Avenue to Clerk Street on September 7th, 2024 from 11:00 AM to 3:00 PM, license applicant Wausau River District, Alex Eichten; **102nd Wisconsin State Horseshoe Tournament** at Marathon Park Arena #1 on August 31st – September 1st from 8 AM to 10 PM, license applicant Little Bull Falls Horseshoe Club.