



OFFICIAL NOTICE AND AGENDA - REVISED

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

Meeting of the:	COMMON COUNCIL OF THE CITY OF WAUSAU
Date/Time:	Tuesday, September 8, 2020 at 6:30 p.m.
Location:	City Hall (407 Grant Street, Wausau WI 54403) - Council Chambers
Members:	Patrick Peckham, Michael Martens, Tom Kilian, Tom Neal, Jim Wadinski, Becky McElhaney, Lisa Rasmussen, Sarah Watson, Dawn Herbst, Lou Larson, Deb Ryan

Call to Order

Pledge of Allegiance / Roll Call / Proclamations

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

Presentations: Wausau School District Representatives - Upcoming Referendum Proposal

File #	CMT	Consent Agenda	ACT
20-0801	COUN	Minutes of previous meetings, (8/25/20)	Place on file
20-0904	CISM	Resolution Approving storm sewer easements with Galleria Inc. I, II and III at 501, 505 and 605-607 S. 24th Avenue and storm sewer access easement with Galleria Inc. III at 501 S. 24th Avenue	Approved 3-0
20-0905	CISM	Resolution Approving storm sewer easement with Wausau Hospitality LLC at 615 S. 24th Avenue	Approved 3-0
20-0906	CISM	Resolution) Approving storm sewer easement with Costigan Properties LLC at 2221 Stewart Avenue	Approved 3-0
20-0108	PH&S	Resolution Approving or Denying Various Licenses	Approved 5-0

File #	CMT	Resolutions and Ordinances	ACT
20-0903		Mayor's Appointments	
19-1109	FIN	Resolution Approving the 2020 budget modification for Parks Playground Equipment	Approved 5-0
		Suspend the Rules- 6(B) Filing (2/3 vote required)	
19-1109	FIN	Resolution Approving the 2020 budget modification for Elections	Pending

Public Comment & Suggestions

Adjournment

Signed by Katie Rosenberg, Mayor

*Due to the COVID-19 pandemic, this meeting is being held in person and via teleconference. Members of the media and the public may attend in person, subject to the social distancing rules of maintaining at least 6 feet apart from other individuals, or by calling **1-408-418-9388**. The Access Code is: **146 213 5677** Password: **wausau**

Individuals appearing in person will either be seated in the Council Chambers or an overflow room, subject to the social distancing rules. Space available will be on a first come, first served basis. All public participants' phones will be muted during the meeting. Members of the public who do not wish to appear in person may view the meeting live over the internet by <https://waam.viebit.com/?folder=ALL>, on the City of Wausau's YouTube Channel <http://www.tinyurl.com/WAAMedia>, live by cable TV, Channel 981, and a video is available in its entirety and can be accessed at <https://tinyurl.com/WausauCityCouncil>. Any person wishing to offer public comment who does not appear in person to do so, may e-mail leslie.kremer@ci.wausau.wi.us with "Common Council public comment" in the subject line prior to the meeting start. All public comment, either by email or in person, will be limited to items on the agenda at this time. The messages related to agenda items received prior to the start of the meeting will be provided to the Mayor.

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

PROCLAMATION

WHEREAS, *Our Constitution is founded on fundamental trust in America's citizens; and*

WHEREAS, *on September 17, 1787, our Founding Fathers signed the U.S. Constitution at Independence Hall in Philadelphia, forging a new government for the United States; and*

WHEREAS, *The United States Constitution stand as a testament to the tenacity of Americans throughout history to maintain their liberties, freedoms and inalienable rights; and*

WHEREAS, *September 17 marks the 233rd anniversary of the Constitution of the United States and we celebrate this founding charter and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.*

**NOW, THEREFORE, BE IT RESOLVED, THAT I, KATIE
ROSENBERG,** Mayor of the City of Wausau, do hereby proclaim
The week of September 17-23, 2020
as

CONSTITUTION WEEK

*in the City of Wausau and we encourage all citizens demonstrate our Love
for the United States of America and the Blessings of Freedom our Founding
Fathers secured for all of us.*

*Katie Rosenberg
Mayor, City of Wausau
September 8, 2020*

PROCLAMATION
Childhood Cancer Awareness

Whereas, Childhood cancer is the leading cause of death by disease in children, and;

Whereas, The most common cancers in childhood in Wisconsin include leukemia, brain and central nervous system tumors and lymphomas; and

Whereas, 1 in 285 children in the United States will be diagnosed by their 20th birthday, and;

Whereas, 43 children per day are diagnosed with cancer annually in the U.S., and;

Whereas, there are approximately 40,000 children on active treatment at any given time and the average age of diagnosis is 6 years old, compared to 66 years for adults' cancer diagnosis, and;

Whereas, in the last 20 years only four new drugs have been approved by the FDA to specifically treat childhood cancer, and;

Whereas, the National Cancer Institute recognizes the unique research needs of childhood cancer and the associated need for increased funding to carry this out;

Whereas, hundreds of non-profit organizations at the local and national level including the American Childhood Cancer Organization are helping children with cancer and their families cope through educational, emotional and financial support, and;

Whereas, researchers and healthcare professionals work diligently dedicating their expertise to treat and cure children with cancer, and;

Whereas, too many children are affected by this deadly disease and more must be done to raise awareness and find a cure.

Now therefore, I, Katie Rosenberg, Mayor of the City of Wausau, do hereby proclaim

September 2020

as

Childhood Cancer Awareness Month

I encourage all citizens in the City of Wausau to observe Childhood Cancer Awareness Month and support this cause that so deeply impacts families in every community across our country.

Katie Rosenberg, Mayor
City of Wausau

2020 National Suicide Prevention + Action Month Proclamation

WHEREAS; September is known globally as “Suicide Prevention Month”, the National Suicide Prevention + Action Month Proclamation was created to raise the visibility of the mental health resources and suicide prevention services available in our community. The goal is to speak openly about the importance of mental health and the impacts of suicide to help remove the surrounding stigmas, and to direct those in need to the appropriate support services; and

WHEREAS; Suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background; and according to the American Foundation for Suicide Prevention (AFSP), Suicide is the 10th leading cause of death among adults, and the 2nd leading cause of death among individuals between the ages of 10 and 34 in the US; and

WHEREAS; more than 47,000 people died by suicide across the United States in 2017, which, according to the CDC, was more than twice the number of homicides, with an average of 129 suicides completed daily, which includes active military and veterans accounting for 13.5% of all suicides nationally; and

WHEREAS; each and every suicide directly impacts a minimum of 100 individuals, including family, friends, co-workers, neighbors, and community members; and

WHEREAS; Wausau is no different than any other community across the country, but chooses to publicly place our full support behind local educators, mental health professionals, athletic coaches, law enforcement officers, and parents, as partners in supporting our community by being available to one another; and

WHEREAS, every member of our community should understand that throughout life’s struggles we all need the occasional reminder that we are all fighting our own battles; and

WHEREAS, I encourage all residents to take the time to check in with their family, friends, and neighbors on a regular basis and to honestly communicate their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

NOW, THEREFORE, be it proclaimed that I, Katie Rosenberg, Mayor of the City of Wausau, do hereby
proclaim the month of

September 2020

As

National Suicide Prevention + Action Month in Wausau.

Katie Rosenberg, Mayor
City of Wausau
September 8, 2020

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, August 25, 2020 at 6:30 pm in the Council Chambers at City Hall.
Mayor Katie Rosenberg presiding.

Roll Call

8/25/2020 6:31:42 PM

Roll Call indicated 11 members present.

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

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

- 1) Mary Thao, 506 Sherman St, spoke in opposition to the Wausau School Board's proposed \$155 million referendum for the November 3rd ballot.

Consent Agenda

8/25/2020 6:36:40 PM

Motion by Peckham, second by Kilian to adopt all the items on the Consent Agenda as follows:

Mayor Rosenberg stated she was withdrawing file #20-0824 from the agenda; no action will be taken.

20-0801 Minutes of the previous meeting (8/12/20).

20-0105 Final Resolution of the Capital Improvements & Street Maintenance Committee Levying Special Assessments for the 2020 Alley Paving Project

20-0106 Final Resolution of the Capital Improvements & Street Maintenance Committee Levying Special Assessments for the 2020 Street Construction

20-0810 Resolution of the Capital Improvements & Street Maintenance Committee Accepting Easement with Wisconsin Public Service, Charter Communications, Inc. and Frontier North for facilities at 814 North 1st Street, 920 North 1st Street and 120 Franklin Street

20-0815 Resolution of the Capital Improvements & Street Maintenance Committee Accepting Easement with Wisconsin Public Service, Charter Communications, Inc. and Frontier North for facilities at 146 East Thomas Street, 206 East Thomas Street, 212 East Thomas Street, 226 East Thomas Street, 230 East Thomas Street and 242 East Thomas Street

20-0818 Resolution of the Capital Improvements & Street Maintenance Committee Approving Agreement for the Management and Maintenance of a Stormwater facility (Evergreen Adventures LLC 919 Evergreen Road)

29-0819 Resolution of the Capital Improvements & Street Maintenance Committee Approving Agreement for the Management and Maintenance of a Stormwater facility (Kraft Heinz Company 1309 and 1316 Curling Way)

20-0821 Ordinance of the Capital Improvements & Street Maintenance Committee Amending Section 1.01.025 Issuance of citations, Creating Section 10.01.055 Avoidance of Traffic Control Device Prohibited

20-0816 Joint Resolution of the Capital Improvements & Street Maintenance Committee and the Plan Commission Authorizing Sale of City-Owned Property at 1321 Curling Way

20-0817 Resolution of the Plan Commission Approving Final Plat for Siewert Park

20-0825 Ordinance of the Wausau Water Works Commission Creating Section 13.52.060 Penalty

Yes Votes: 11 No Votes: 0 Result: PASS

14-0507

8/25/2020 6:40:38 PM

Motion by Rasmussen, second by Watson to adopt the Resolution of the Capital Improvements & Street Maintenance Committee Eliminating No Right Turn on Red signage for northbound 17th Avenue traffic at the W. Bridge Street intersection

Yes Votes: 11 No Votes: 0 Result: PASS

16-0410

8/25/2020 6:41:25 PM

Motion by Rasmussen, second by Neal to adopt the Joint Resolution of the Capital Improvements & Street Maintenance Committee and the Plan Commission Approving Preliminary and Final Plat Wausau River East Phase II Subdivision

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

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

19-1109 Withdrawn

Resolution of the Finance Committee Approving the 2020 budget modification for local share of funding of Assistance to Firefighters Grant Automated CPR Devices

20-0412

8/25/2020 6:42:23 PM

Motion by Watson, second by Herbst to adopt the Resolution of the Finance Committee Approving the refund of rent and fuel flow to Wausau Flying Service during the Safer At Home

Yes Votes: 11 No Votes: 0 Result: PASS

20-0820

8/25/2020 6:42:59 PM

Motion by Herbst, second by McElhaney to adopt the Resolution of the Human Resources Committee Approving Transit Utility Worker Staffing Levels Increase from 1 FTE to 2 FTE

Yes Votes: 11 No Votes: 0 Result: PASS

20-0822

8/25/2020 6:49:39 PM

Motion by Wadinski, second by Watson to adopt the Resolution of the Finance Committee Approving the issuance of a Towing Service Request for Proposal

Nate Miller, Assistant City Attorney, noted the RFP was amended since the Finance Committee to include the towing companies within the city limits, as well as companies within five miles from the corporate limits of the city.

Yes Votes: 11 No Votes: 0 Result: PASS

Suspend the Rules

8/25/2020 6:50:26 PM

Motion by Rasmussen, second by Neal to Suspend the Rules - 6(B) Filing (2/3 vote required)

Yes Votes: 11 No Votes: 0 Result: PASS

20-0807 & 20-0808

Groat stated the Council had authorized us to go ahead and proceed with the sale that took place at 10:00 am this morning. The Series 2020D issue finances the Capital Improvements Plan for 2020 and the Series 2020E is the refinancing. There were three bids for Series 2020D and the winning bid was to Robert W. Baird for an interest rate of 1.1362%. This rate was lower than expected so it will reduce the borrowing by \$55,000. There were six bids for Series 2020E with the low bid coming in at 1.35% interest replacing an issue where the interest rate was 2.6%. There is less debt issuance costs so the size of the issue was reduced by \$115,000.

Phil Cosson, of Ehler's, stated the Moody's rating for the city is AA3, which is a very strong rating. He reviewed the credit report, noting the city saw significant growth in value in 2019. Moody's also identified strong liquidity, meaning the "rainy day" fund or working capital fund is very strong. Challenges are very similar to what is seen for many Wisconsin credit: limited revenue raising flexibility due to state imposed levy limits, which is everyone in the state; below average resident wealth profile; and outstanding general fund loan to the TIDs, of which much of that is starting to be paid back. *Discussion followed.*

20-0807

8/25/2020 7:09:21 PM

Motion by Rasmussen, second by Herbst to adopt the Resolution of the Finance Committee Authorizing the Issuance and Sale of \$5,390,000 General Obligation Promissory Notes, Series 2020D

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

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

20-0808

8/25/2020 7:10:47 PM

Motion by Herbst, second by Rasmussen to adopt the Resolution of the Finance Committee Authorizing the Issuance and Sale of \$6,625,000 Taxable General Obligation Refunding Bonds, Series 2020E

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

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

20-0826

8/25/2020 7:12:36 PM

Motion by Rasmussen, second by Wadinski to adopt the Resolution of the Finance Committee Approving Declaration of Covenants, Conditions, Restrictions and Easements for Wausau East Riverfront

Rasmussen explained this will allow us to receive chargebacks for all of the services the city provides to the riverfront from those who are deriving the benefits.

Yes Votes: 11 No Votes: 0 Result: PASS

Motion by Wadinski, second by Martens to adopt the Resolution of the Finance Committee Approving 4th Amendment to Development Agreement and First Amendment to Ground Lease with Van-Smiling Eyes, LLC

Yes Votes: 11 No Votes: 0 Result: PASS

Motion by Rasmussen, second by Herbst to adopt the Resolution of the Finance Committee Approving property lease agreement with Miron Construction Co., Inc. at 1300 Cleveland Avenue, as amended by Finance Committee to include snow removal to be Miron Construction responsibility

Yes Votes: 11 No Votes: 0 Result: PASS

Public Comment & Suggestions

- 1) Paul Bradfish, Jerry's Towing, 22530 Swan Ave, questioned if the towing contract would be something that is just implemented during snow emergencies or a year round contract for all accidents, etc. Assistant Attorney Miller explained the snow emergency is not at all part of the contract. He explained the towing contract is for there non-consensual or abandoned vehicles, city owned vehicles, and evidentiary tows. He clarified this is a small amount of business, only when the owner can't be located, or the other reasons stated and has nothing to do with snow emergencies.
- 2) Debra Ryan, 702 Elm St, spoke as leader of Westies Neighborhood Group, bounded by 1st Avenue to 17th Avenue and from Stewart Avenue to Bridge Street. She indicated the group wants to have a special Westies meeting regarding the demolition of Grant School on the Grant School grounds and have someone from the Historical Society speak about it and consider possible landmark designation.
- 3) Lisa Rasmussen stated the Wausau School District has not been agreeable to slowing down and going back to re-engage with the families that are affected the most. This will hinder the ability of all of the kids from the Lincoln School neighborhood to bike and walk to school. She hoped the Historic Preservation Commission would send a recommendation to designate Grant School in order to stop the demolition.

Adjourn

Motion by Kilian, second by Martens to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:30 pm.

Katie Rosenberg, Mayor
Leslie M. Kremer, City Clerk

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

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

Approving storm sewer easements with Galleria Inc. I, II and III at 501, 505 and 605-607 S. 24th Avenue and storm sewer access easement with Galleria Inc. III at 501 S. 24th Avenue

Committee Action: Approved 3-0

Fiscal Impact: None

File Number: 20-0904

Date Introduced: September 8, 2020

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 ☐ Debt ☐ Funds on Hand ☐ Interfund Loan ☐</i>		

WHEREAS, the City plans to replace a large storm sewer culvert that is failing under the parking lots in the 500 and 600 blocks of S. 24th Avenue; and

WHEREAS, storm sewer easements and access easements will be necessary to replace the culvert; and

WHEREAS, it was discovered the city does not have easement rights to repair or replace the culvert; and

WHEREAS, your Capital Improvements and Street Maintenance Committee, at their March 12, 2020 meeting, discussed and approved entering into storm sewer easements with Galleria Inc. I, II and III, the owner of 501 and 505 S. 24th Avenue and a storm sewer access easement with Galleria Inc. III at 501 S. 24th Avenue.

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

Approved:

Katie Rosenberg, Mayor

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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

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

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

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

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

CONSENT AGENDA

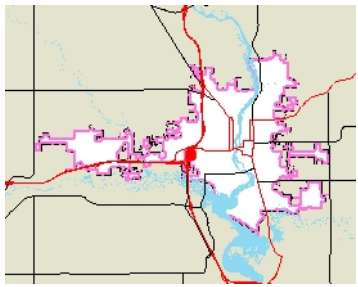
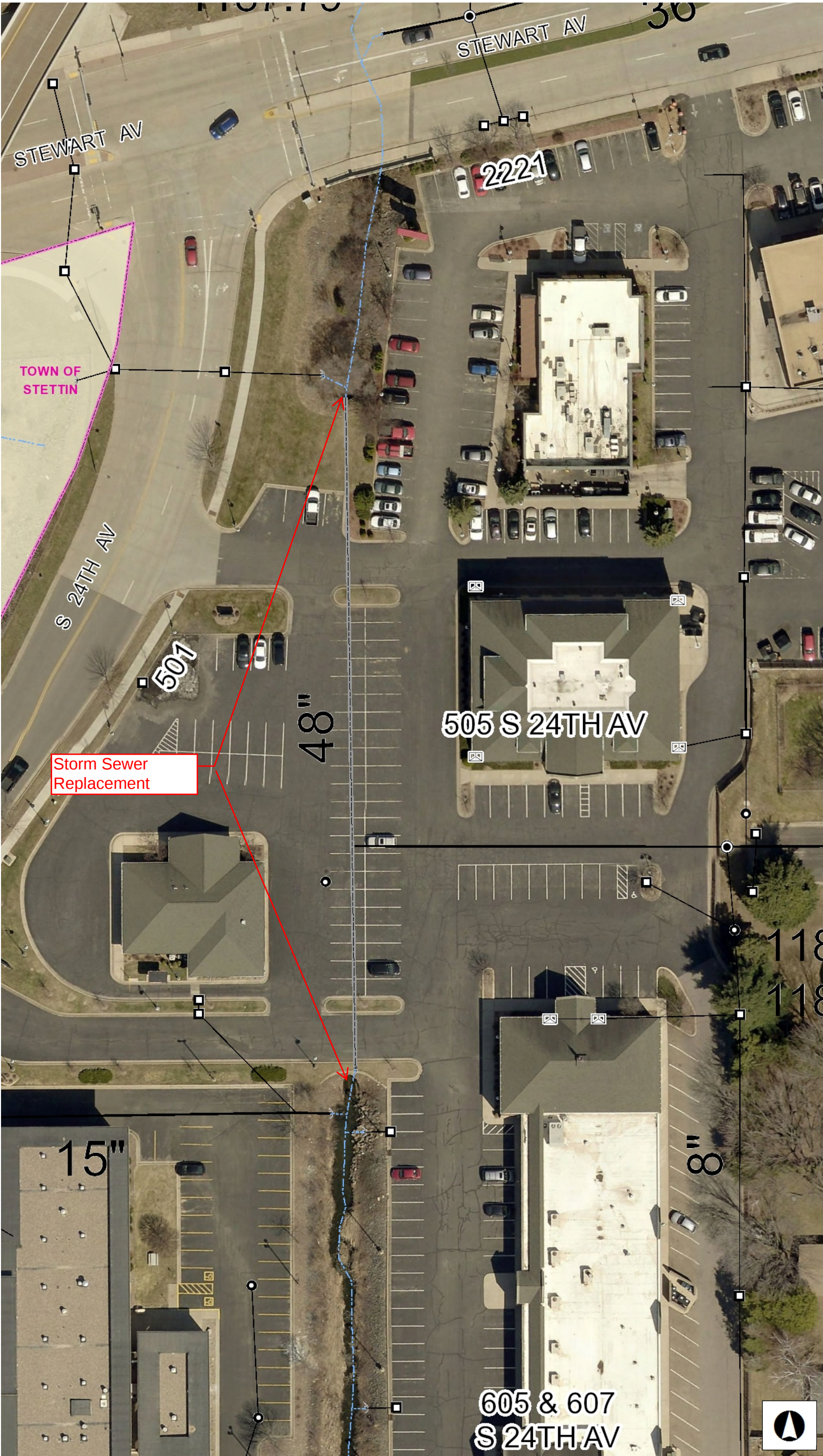
- A. Approve minutes of the February 13, 2020 meeting**
 - B. Action on Storm Sewer Access Easement with Galleria Inc. III at 501 South 24th Avenue**
 - C. Action on Storm Sewer Easement with Galleria Inc. III at 501 South 24th Avenue**
 - D. Action on Storm Sewer Easement with Galleria Inc. II at 505 South 24th Avenue**
 - E. Action on Storm Sewer Easement with Galleria Inc. I at 605 South 24th Avenue**
 - F. Action on Storm Sewer Easement with Wausau Hospitality LLC at 615 South 24th Avenue**
 - G. Action on Storm Sewer Easement with Costigan Properties LLC, Apple Hospitality Group at 2221 Stewart Avenue**
-

Thao moved to approve the consent agenda items. Rasmussen seconded and the motion carried 3-0.

Agenda Item No.
2B – 2G

STAFF REPORT TO CISM COMMITTEE – March 12, 2020

AGENDA ITEM
2B – Action on Storm Sewer Access Easement with Galleria Inc. III at 501 S. 24 th Ave 2C – Action on Storm Sewer Easement with Galleria Inc. III at 501 S. 24 th Ave 2D – Action on Storm Sewer Easement with Galleria Inc. II at 505 S. 24 th Ave 2E – Action on Storm Sewer Easement with Galleria Inc. I at 605 S. 24 th Ave 2F – Action on Storm Sewer Easement with Wausau Hospitality LLC at 615 S. 24 th Ave 2G - Action on Storm Sewer Easement with Costigan Properties LLC, Apple Hospitality Group at 2221 Stewart Ave
BACKGROUND
The large storm sewer culvert under the parking lot at the above addresses is failing and is in need of replacement. See the attached maps for the parcel numbers and the aerial for location. This culvert carries a large storm water flow from major watersheds in the City. The City is proposing to replace the culvert this summer. Upon researching the project, it has been determined the City does not have easement rights to repair or replace the pipe.
FISCAL IMPACT
It is anticipated staff will be able to work with landowners to obtain the easements for a minimal fee. The replacement project of the pipe is budgeted for \$300,000.
STAFF RECOMMENDATION
Staff recommends approving moving ahead with the easements. With approval from CISM, staff will work with the landowners to obtain approval. When easements are obtained from landowners, the final easement documents will be brought to the full council for approval.
Staff contact: Allen Wesolowski 715-261-6762



- Legend
- Section Line/Number
 - Manhole
 - Discharge Point
 - Outlet Structure
 - Inlet (w/Overland Flow)
 - Catch Basin
 - Down Spout
 - Inlet Box
 - Overland Flow
 - Open Drainage
 - Main
 - Collector
 - Culvert
 - Force
 - InletLead
 - Overflow
 - Underground Detention
 - Storage Basin Point
 - Storage Basin
 - Municipality

**STORM SEWER ACCESS
EASEMENT AGREEMENT**

THIS AGREEMENT, made this 14 day of April, 2020 by and between, The Galleria Inc. III, 501 S. 24th Avenue, Wausau, Wisconsin 54401, Grantor, and the CITY OF WAUSAU, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, Grantee;

WITNESSETH:

That in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid to Grantor by Grantee, receipt of which is hereby acknowledged, Grantor, has this day conveyed, transferred, and delivered unto Grantee a permanent easement and right-of-way and perpetual right to enter upon the real estate hereinafter described at any time for ingress and egress to, from, upon and over the lands hereinafter described to provide access to other property owned by Grantee.

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

Part of Parcel 1 of Certified Survey Map No. 8162 recorded in the Office of Register of Deeds for Marathon County in Volume 31 of Certified Survey Maps on Page 115, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

Commencing at the West $\frac{1}{4}$ corner of said Section 34; thence N0°29'01"W, along the West line of the NW $\frac{1}{4}$ of said Section 34, 2656.21 feet to the NW corner of said Section 34; thence S71°04'59"E, 1629.85 feet to the Westerly line of said Parcel 1, the point of beginning;

Thence N31°48'45"E, along said Westerly line, 35.34 feet; thence N89°55'00"E, 31.25 feet to the West line of a proposed storm sewer easement; thence S0°17'49"E, along said West line, 30.00 feet; thence S89°55'00"W, 50.03 feet to said Westerly line of Parcel 1, the point of beginning, containing approximately 1,219 square feet.

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

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

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

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

Recording Area

Name and Return Address

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

PIN: 291-2907-342-0956

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

CITY OF WAUSAU BY:

Katie Rasenberg, Mayor

Leslie M. Kramer, Clerk

GALLERIA INC. BY:

[Signature]
President

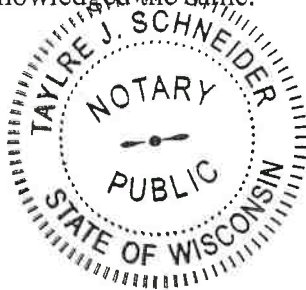
STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this _____ day of _____, 2020 the above named Robert B. Mielke, Mayor, and _____, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My commission expires: _____

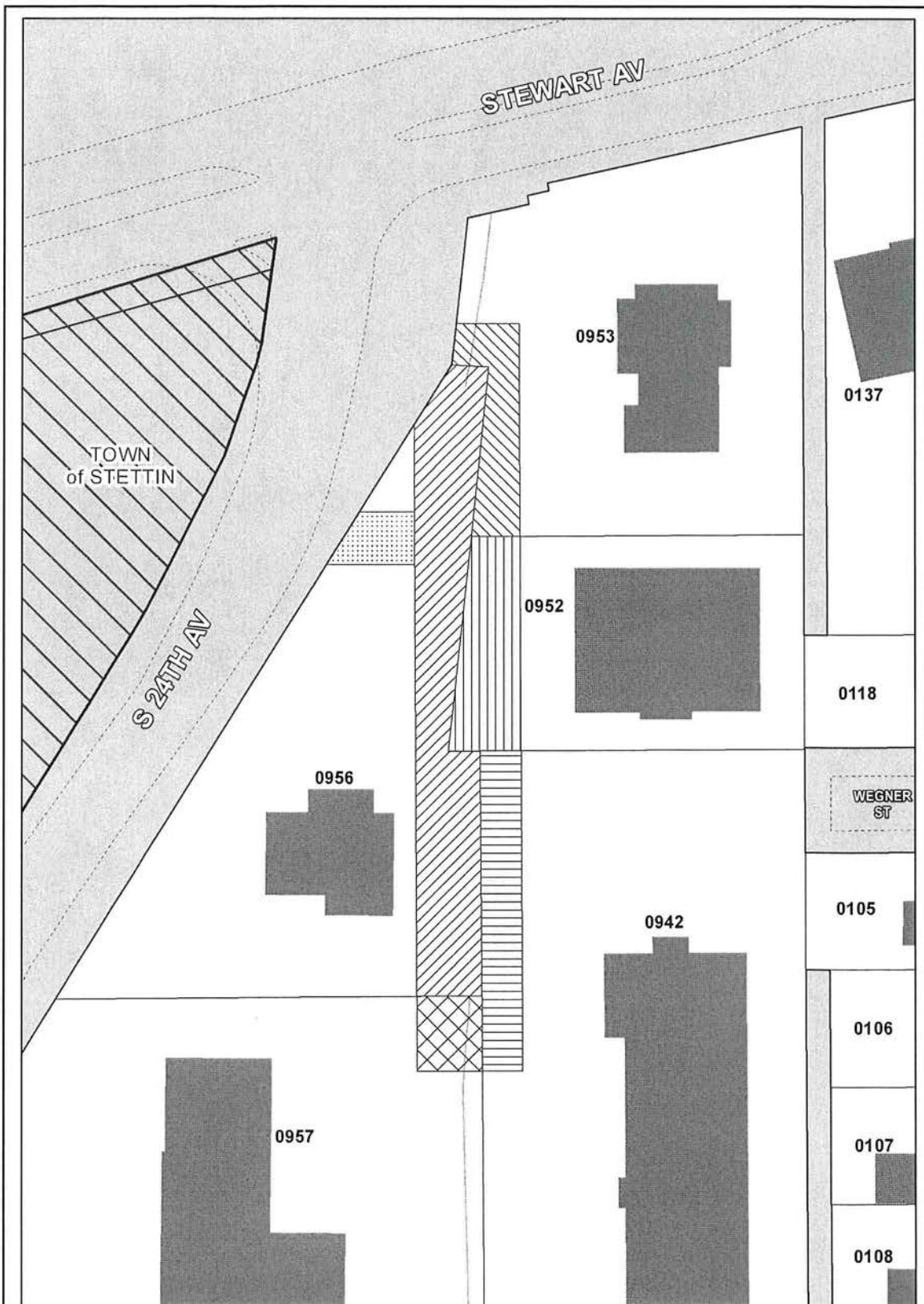
STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this 14 day of April, 2020, the above named Charles
Lahidorz, of Wausau, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.



Taylre J. Schneider
Notary Public, Wisconsin
My commission expires: 10-31-23

This instrument was drafted by
Nathan K. Miller, Assistant City Attorney
for the City of Wausau
407 Grant Street
Wausau WI 54403-4783



City of Wausau
Marathon County Wisconsin

NOTES:
1. DUPLICATION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE CITY OF WAUSAU ENGINEERING DEPT.
2. THIS MAP WAS COMPILED AND DEVELOPED BY THE CITY OF WAUSAU AND MARATHON COUNTY GIS. THE CITY AND COUNTY ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
3. PARCEL FEATURES DEVELOPED FROM MARATHON COUNTY LAND RECORDS.



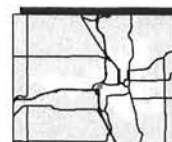
Legend

- Parcels
- Building Footprints
- Road Edge
- Right - of - Way
- Railroad

Proposed Easement
Parcel ID

- 0942
- 0952
- 0953
- 0956
- 0957
- Proposed Access Easement

Map Location



**STORM SEWER EASEMENT
AGREEMENT**

THIS AGREEMENT, made this _____ day of _____, 2020, by and between, The Galleria Inc. I, 605-607 S. 24th Avenue, Wausau, Wisconsin 54401, Grantor, and the CITY OF WAUSAU, a municipal corporation of the State of Wisconsin, Grantee;

WITNESSETH:

That in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid to Grantor by Grantee, receipt of which is hereby acknowledged, Grantor, has this day conveyed, transferred, and delivered unto Grantee a permanent easement and right-of-way and perpetual right to enter upon the real estate hereinafter described at any time to construct, reconstruct, maintain, inspect and/or repair a storm sewer which may be constructed through and under the lands hereinafter described.

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

Part of Parcel 2 of Certified Survey Map No. 8162 recorded in the Office of Register of Deeds for Marathon County in Volume 31 of Certified Survey Maps on Page 115, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

That part of said Parcel 2 contained within the following described parcel:

A 60 foot wide strip of land centered on the following described centerline:

Commencing at the West $\frac{1}{4}$ corner of said Section 34; thence N0°29'01"W, along the West line of the NW $\frac{1}{4}$ of said Section 34, 2656.21 feet to the NW corner of said Section 34; thence S76°25'39"E, 1667.72 feet to the point of beginning of said centerline;

Thence S0°17'49"E, 425.00 feet to the end of said centerline, containing approximately 4,135 square feet.

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

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

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

Recording Area

Name and Return Address

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

PIN: 291-2907-342-0942

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

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

CITY OF WAUSAU BY:

GALLERIA INC. I BY:

Robert B. Mielke, Mayor

Mary Goede, Deputy Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this_____day of_____, 2020, the above named Robert B. Mielke, Mayor, and_____, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

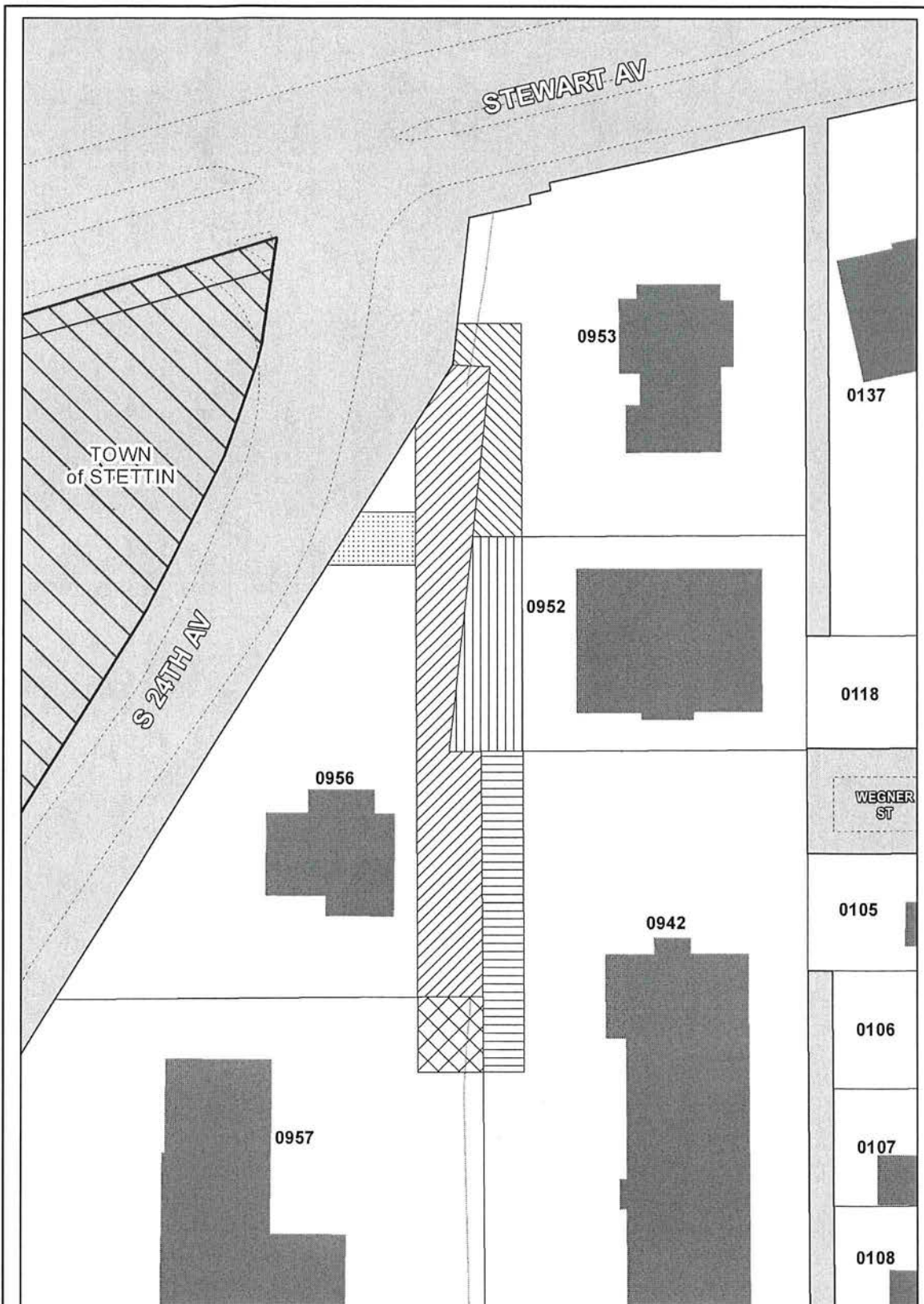
Notary Public, Wisconsin
My commission expires:_____

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this_____day of_____, 2020, the above named_____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My commission expires:_____

This instrument was drafted by
Nathan K. Miller, Assistant City Attorney
for the City of Wausau
407 Grant Street
Wausau WI 54403-4783



City of Wausau
Marathon County Wisconsin

NOTES:
1. DUPLICATION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE CITY OF WAUSAU ENGINEERING DEPT.
2. THIS MAP WAS COMPILED AND DEVELOPED BY THE CITY OF WAUSAU AND MARATHON COUNTY GIS. THE CITY AND COUNTY ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
3. PARCEL FEATURES DEVELOPED FROM MARATHON COUNTY LAND RECORDS.



0 25 50
Feet

- Parcels
- Building Footprints
- Road Edge
- Right-of-Way
- Railroad

Legend

Proposed Easement Parcel ID

- 0942
- 0952
- 0953
- 0956
- 0957
- Proposed Access Easement

Map Location



**STORM SEWER EASEMENT
AGREEMENT**

THIS AGREEMENT, made this _____ day of _____, 2020, by and between, The Galleria Inc. II, 505 S. 24th Avenue, Wausau, Wisconsin 54401, Grantor, and the CITY OF WAUSAU, a municipal corporation of the State of Wisconsin, Grantee;

WITNESSETH:

That in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid to Grantor by Grantee, receipt of which is hereby acknowledged, Grantor, has this day conveyed, transferred, and delivered unto Grantee a permanent easement and right-of-way and perpetual right to enter upon the real estate hereinafter described at any time to construct, reconstruct, maintain, inspect and/or repair a storm sewer which may be constructed through and under the lands hereinafter described.

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

Part of Lot 2 of Certified Survey Map No. 8312 recorded in the Office of Register of Deeds for Marathon County in Volume 32 of Certified Survey Maps on Page 80, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

That part of said Lot 2 contained within the following described parcel:

A 60 foot wide strip of land centered on the following described centerline:

Commencing at the West ¼ corner of said Section 34; thence N0°29'01"W, along the West line of the NW ¼ of said Section 34, 2656.21 feet to the NW corner of said Section 34; thence S76°25'39"E, 1667.72 feet to the point of beginning of said centerline;

Thence S0°17'49"E, 425.00 feet to the end of said centerline, containing approximately 4,235 square feet.

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

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

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

Recording Area

Name and Return Address

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

PIN: 291-2907-342-0952

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

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

CITY OF WAUSAU BY:

GALLERIA INC. II BY:

Robert B. Mielke, Mayor

Mary Goede, Deputy Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this _____ day of _____, 2020, the above named Robert B. Mielke, Mayor, and _____, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

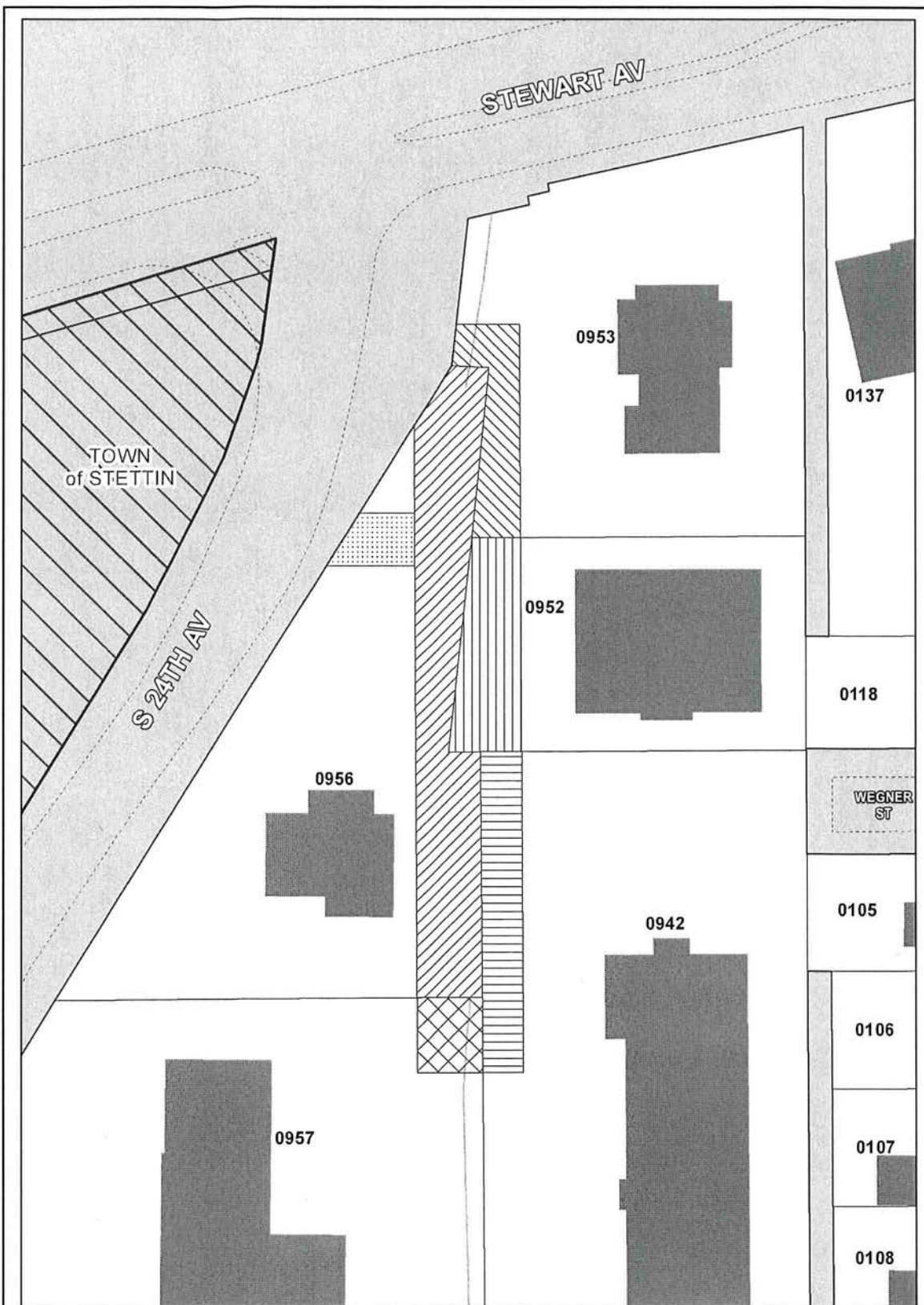
Notary Public, Wisconsin
My commission expires: _____

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

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

Notary Public, Wisconsin
My commission expires: _____

This instrument was drafted by
Nathan K. Miller, Assistant City Attorney
for the City of Wausau
407 Grant Street
Wausau WI 54403-4783



City of Wausau
Marathon County Wisconsin

NOTES:
1. DUPLICATION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE CITY OF WAUSAU ENGINEERING DEPT.
2. THIS MAP WAS COMPILED AND DEVELOPED BY THE CITY OF WAUSAU AND MARATHON COUNTY GIS. THE CITY AND COUNTY ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
3. PARCEL FEATURES DEVELOPED FROM MARATHON COUNTY LAND RECORDS.



0 25 50
Feet

- Parcels
- Building Footprints
- Road Edge
- Right - of - Way
- Railroad

Legend

Proposed Easement
Parcel ID

- 0942
- 0952
- 0953
- 0956
- 0957
- Proposed Access Easement

Map Location



**STORM SEWER EASEMENT
AGREEMENT**

THIS AGREEMENT, made this _____ day of _____, 2020,
by and between, The Galleria Inc. III, 501 S. 24th Avenue, Wausau,
Wisconsin 54401, Grantor, and the CITY OF WAUSAU, a municipal
corporation of the State of Wisconsin, Grantee;

WITNESSETH:

That in consideration of the sum of one dollar (\$1.00) and other good
and valuable consideration paid to Grantor by Grantee, receipt of
which is hereby acknowledged, Grantor, has this day conveyed,
transferred, and delivered unto Grantee a permanent easement and
right-of-way and perpetual right to enter upon the real estate hereinafter
described at any time to construct, reconstruct, maintain, inspect and/or
repair a storm sewer which may be constructed through and under the
lands hereinafter described.

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

Part of Parcel 1 of Certified Survey Map No. 8162 recorded in
the Office of Register of Deeds for Marathon County in Volume 31 of Certified Survey Maps on Page
115, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin,
described as follows:

That part of said Parcel 1 contained within the following described parcel:

A 60 foot wide strip of land centered on the following described centerline:

Commencing at the West $\frac{1}{4}$ corner of said Section 34; thence N0°29'01"W, along the West line of the
NW $\frac{1}{4}$ of said Section 34, 2656.21 feet to the NW corner of said Section 34; thence S76°25'39"E,
1667.72 feet to the point of beginning of said centerline;

Thence S0°17'49"E, 425.00 feet to the end of said centerline, containing approximately 11,635 square
feet.

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

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

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

Recording Area

Name and Return Address

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

PIN: 291-2907-342-0956

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

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

CITY OF WAUSAU BY:

GALLERIA INC. III BY:

Robert B. Mielke, Mayor

Mary Goede, Deputy Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

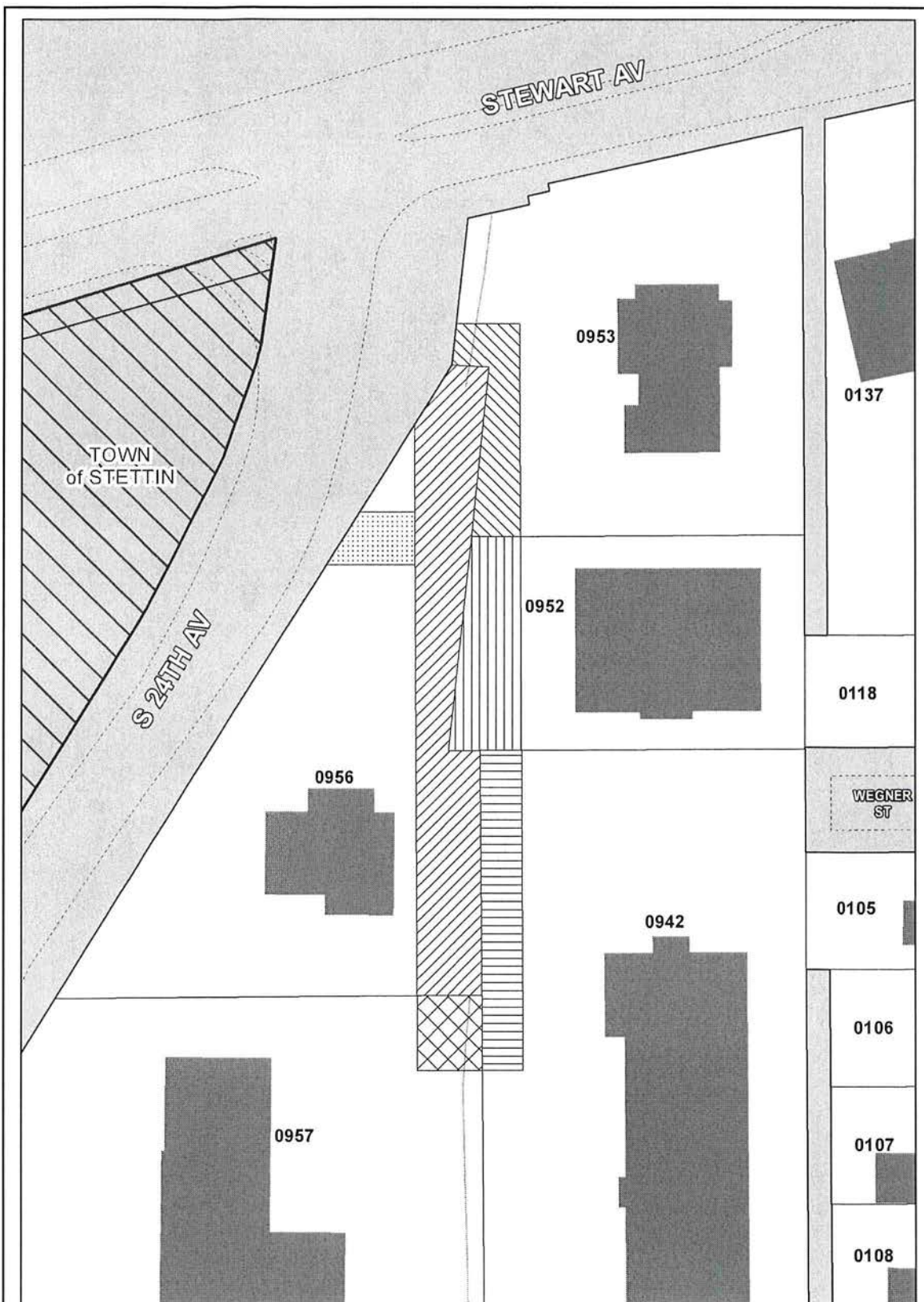
Personally came before me this _____ day of _____, 2020, the above named Robert B. Mielke, Mayor, and _____, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My commission expires: _____

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

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

Notary Public, Wisconsin
My commission expires: _____



City of Wausau
Marathon County Wisconsin

NOTES:
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3. PARCEL FEATURES DEVELOPED FROM MARATHON COUNTY LAND RECORDS.



- Parcels
- Building Footprints
- Road Edge
- Right-of-Way
- Railroad

Legend

- Proposed Easement
Parcel ID
- 0942
 - 0952
 - 0953
 - 0956
 - 0957
 - Proposed Access Easement

Map Location



**STORM SEWER ACCESS
EASEMENT AGREEMENT**

THIS AGREEMENT, made this ____ day of _____, 2020 by and between, The Galleria Inc. III, 501 S. 24th Avenue, Wausau, Wisconsin 54401, Grantor, and the CITY OF WAUSAU, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, Grantee;

WITNESSETH:

That in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid to Grantor by Grantee, receipt of which is hereby acknowledged, Grantor, has this day conveyed, transferred, and delivered unto Grantee a permanent easement and right-of-way and perpetual right to enter upon the real estate hereinafter described at any time for ingress and egress to, from, upon and over the lands hereinafter described to provide access to other property owned by Grantee.

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

Recording Area

Name and Return Address

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

PIN: 291-2907-342-0956

Part of Parcel 1 of Certified Survey Map No. 8162 recorded in the Office of Register of Deeds for Marathon County in Volume 31 of Certified Survey Maps on Page 115, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

Commencing at the West $\frac{1}{4}$ corner of said Section 34; thence N0°29'01"W, along the West line of the NW $\frac{1}{4}$ of said Section 34, 2656.21 feet to the NW corner of said Section 34; thence S71°04'59"E, 1629.85 feet to the Westerly line of said Parcel 1, the point of beginning;

Thence N31°48'45"E, along said Westerly line, 35.34 feet; thence N89°55'00"E, 31.25 feet to the West line of a proposed storm sewer easement; thence S0°17'49"E, along said West line, 30.00 feet; thence S89°55'00"W, 50.03 feet to said Westerly line of Parcel 1, the point of beginning, containing approximately 1,219 square feet.

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

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

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

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

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

CITY OF WAUSAU BY:

GALLERIA INC. III BY:

Robert B. Mielke, Mayor

Mary Goede, Deputy Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this _____ day of _____, 2020 the above named Robert B. Mielke, Mayor, and _____, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

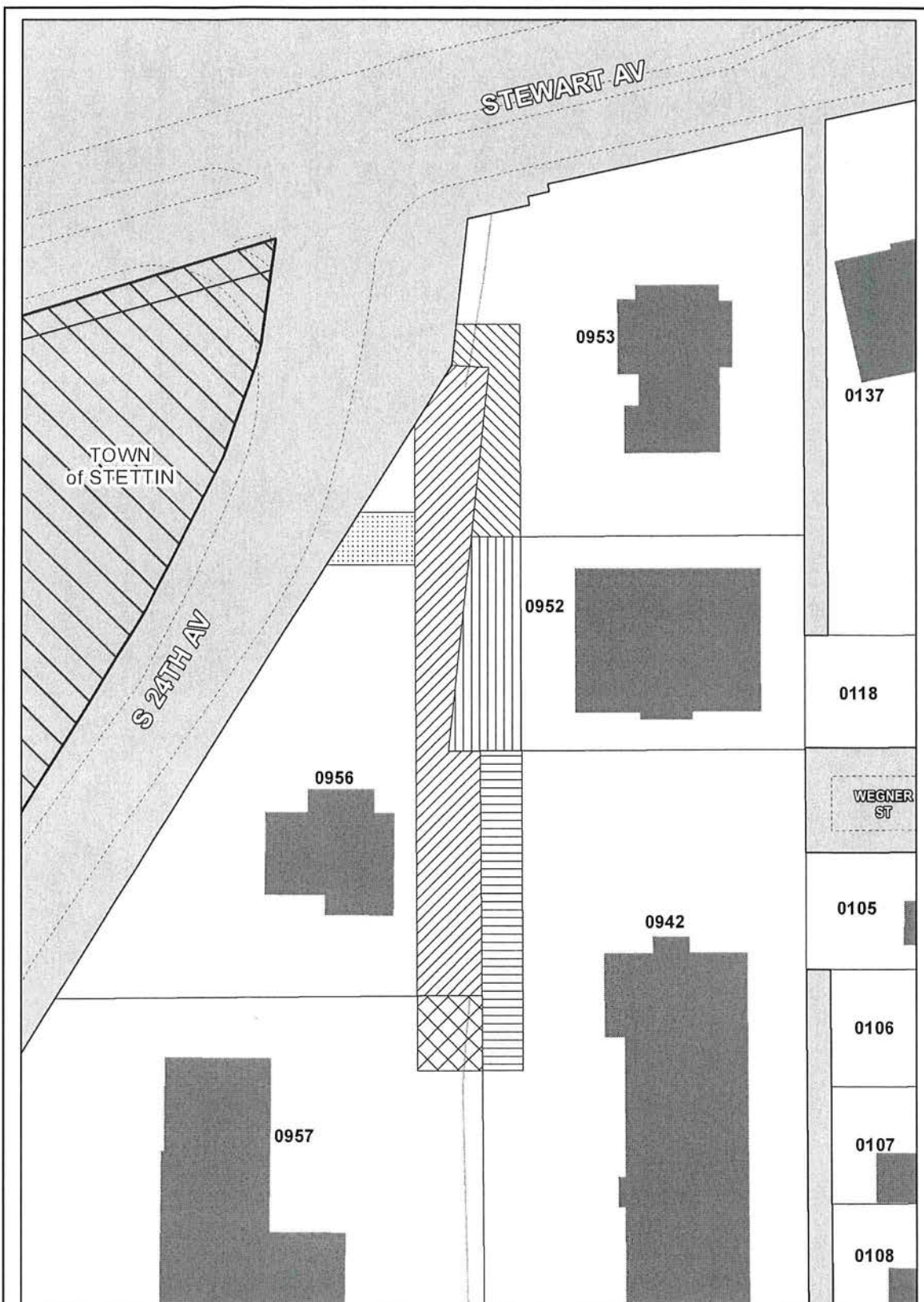
Notary Public, Wisconsin
My commission expires: _____

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

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

Notary Public, Wisconsin
My commission expires: _____

This instrument was drafted by
Nathan K. Miller, Assistant City Attorney
for the City of Wausau
407 Grant Street
Wausau WI 54403-4783



City of Wausau
Marathon County Wisconsin

NOTES:
1. DUPLICATION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE CITY OF WAUSAU ENGINEERING DEPT.
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3. PARCEL FEATURES DEVELOPED FROM MARATHON COUNTY LAND RECORDS.



- Parcels
- Building Footprints
- Road Edge
- Right-of-Way
- Railroad

Legend

Proposed Easement Parcel ID

- 0942
- 0952
- 0953
- 0956
- 0957
- Proposed Access Easement

Map Location



RESOLUTION OF THE CAPITAL IMPROVEMENTS & STREET MAINTENANCE COMMITTEE

Approving storm sewer easement with Wausau Hospitality LLC at 615 S. 24th Avenue

Committee Action: Approved 3-0

Fiscal Impact: None

File Number: 20-0905

Date Introduced: September 8, 2020

FISCAL IMPACT SUMMARY

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

RESOLUTION

WHEREAS, the City plans to replace a large storm sewer culvert that is failing under the parking lot at 615 S. 24th Avenue; and

WHEREAS, a storm sewer easement will be necessary to replace the culvert; and

WHEREAS, it was discovered the city does not have easement rights to repair or replace the culvert; and

WHEREAS, your Capital Improvements and Street Maintenance Committee, at their March 12, 2020 meeting, discussed and approved entering into storm sewer easements with Wausau Hospitality LLC at 615 S. 24th Avenue.

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

Approved:

Katie Rosenberg, Mayor

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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

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

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

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

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

CONSENT AGENDA

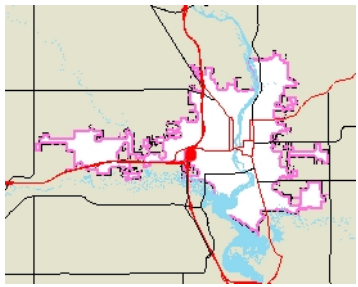
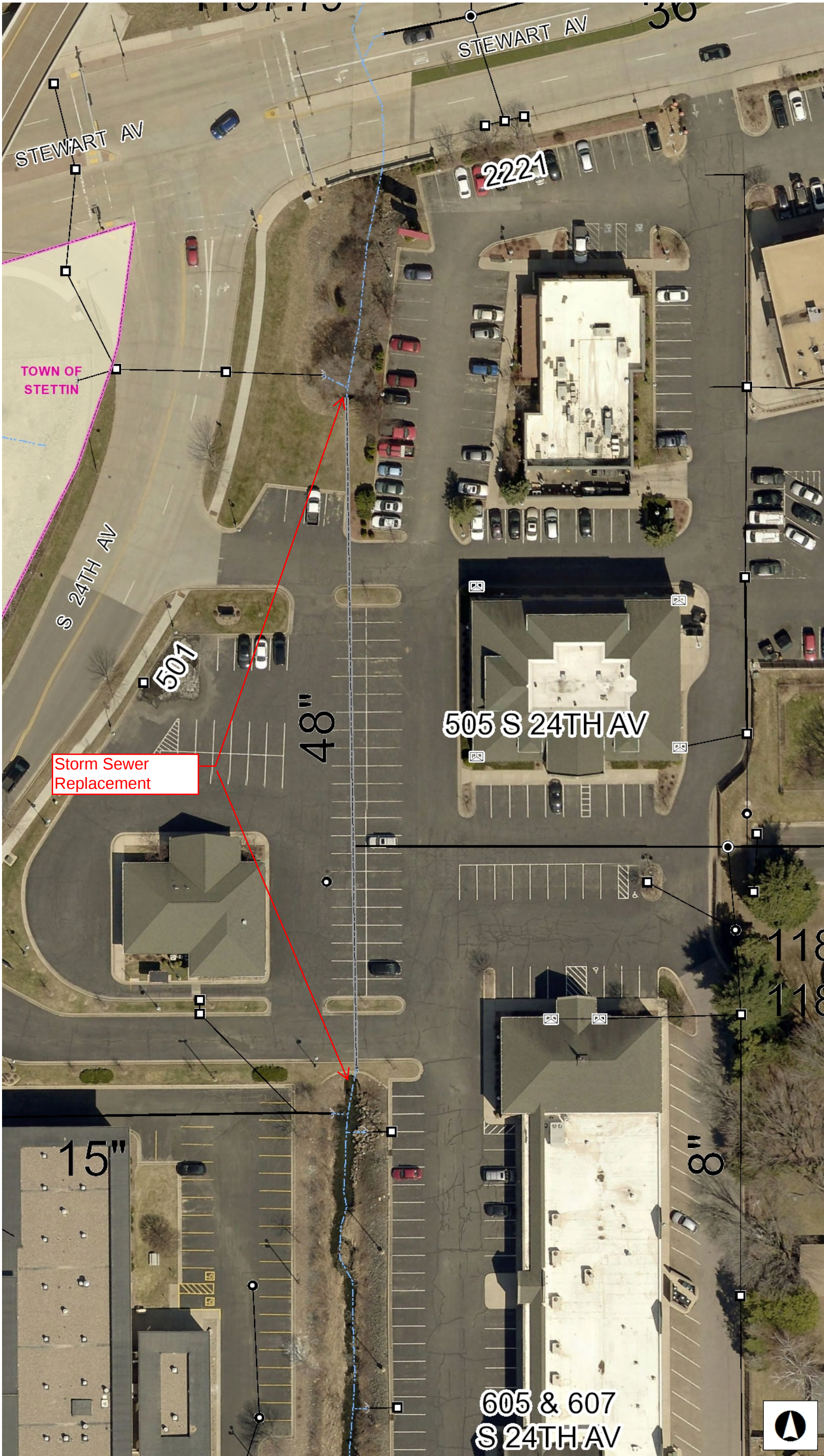
- A. Approve minutes of the February 13, 2020 meeting**
 - B. Action on Storm Sewer Access Easement with Galleria Inc. III at 501 South 24th Avenue**
 - C. Action on Storm Sewer Easement with Galleria Inc. III at 501 South 24th Avenue**
 - D. Action on Storm Sewer Easement with Galleria Inc. II at 505 South 24th Avenue**
 - E. Action on Storm Sewer Easement with Galleria Inc. I at 605 South 24th Avenue**
 - F. Action on Storm Sewer Easement with Wausau Hospitality LLC at 615 South 24th Avenue**
 - G. Action on Storm Sewer Easement with Costigan Properties LLC, Apple Hospitality Group at 2221 Stewart Avenue**
-

Thao moved to approve the consent agenda items. Rasmussen seconded and the motion carried 3-0.

Agenda Item No.
2B – 2G

STAFF REPORT TO CISM COMMITTEE – March 12, 2020

AGENDA ITEM
2B – Action on Storm Sewer Access Easement with Galleria Inc. III at 501 S. 24 th Ave 2C – Action on Storm Sewer Easement with Galleria Inc. III at 501 S. 24 th Ave 2D – Action on Storm Sewer Easement with Galleria Inc. II at 505 S. 24 th Ave 2E – Action on Storm Sewer Easement with Galleria Inc. I at 605 S. 24 th Ave 2F – Action on Storm Sewer Easement with Wausau Hospitality LLC at 615 S. 24 th Ave 2G - Action on Storm Sewer Easement with Costigan Properties LLC, Apple Hospitality Group at 2221 Stewart Ave
BACKGROUND
The large storm sewer culvert under the parking lot at the above addresses is failing and is in need of replacement. See the attached maps for the parcel numbers and the aerial for location. This culvert carries a large storm water flow from major watersheds in the City. The City is proposing to replace the culvert this summer. Upon researching the project, it has been determined the City does not have easement rights to repair or replace the pipe.
FISCAL IMPACT
It is anticipated staff will be able to work with landowners to obtain the easements for a minimal fee. The replacement project of the pipe is budgeted for \$300,000.
STAFF RECOMMENDATION
Staff recommends approving moving ahead with the easements. With approval from CISM, staff will work with the landowners to obtain approval. When easements are obtained from landowners, the final easement documents will be brought to the full council for approval.
Staff contact: Allen Wesolowski 715-261-6762



- Legend
- Section Line/Number
 - Manhole
 - Discharge Point
 - Outlet Structure
 - Inlet (w/Overland Flow)
 - Catch Basin
 - Down Spout
 - Inlet Box
 - Overland Flow
 - Open Drainage
 - Main
 - Collector
 - Culvert
 - Force
 - InletLead
 - Overflow
 - Underground Detention
 - Storage Basin Point
 - Storage Basin
 - Municipality

**STORM SEWER EASEMENT
AGREEMENT**

THIS AGREEMENT, made this _____ day of _____, 2020,
by and between, Wausau Hospitality LLC, 615 S. 24th Avenue,
Wausau, WI 54401, Grantor, and the CITY OF WAUSAU, a municipal
corporation of the State of Wisconsin, Grantee;

WITNESSETH:

That in consideration of the sum of one dollar (\$1.00) and other good
and valuable consideration paid to Grantor by Grantee, receipt of
which is hereby acknowledged, Grantor, has this day conveyed,
transferred, and delivered unto Grantee a permanent easement and
right-of-way and perpetual right to enter upon the real estate hereinafter
described at any time to construct, reconstruct, maintain, inspect and/or
repair a storm sewer which may be constructed through and under the
lands hereinafter described.

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

Part of Lot 1 of Certified Survey Map No. 7732 recorded in the
Office of Register of Deeds for Marathon County in Volume 29 of Certified Survey Maps on Page
195, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin,
described as follows:

That part of said Lot 1 contained within the following described parcel:

A 60 foot wide strip of land centered on the following described centerline:

Commencing at the West ¼ corner of said Section 34; thence N0°29'01"W, along the West line of the
NW ¼ of said Section 34, 2656.21 feet to the NW corner of said Section 34; thence S76°25'39"E,
1667.72 feet to the point of beginning of said centerline;

Thence S0°17'49"E, 425.00 feet to the end of said centerline, containing approximately 1550 square
feet.

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

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

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

Recording Area

Name and Return Address

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

PIN: 291-2907-342-0957

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

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

CITY OF WAUSAU BY:

WAUSAU HOSPITALITY LLC BY:

Robert B. Mielke, Mayor

SHREYAS PATEL
MANAGING MEMBER

Mary Goede, Deputy Clerk

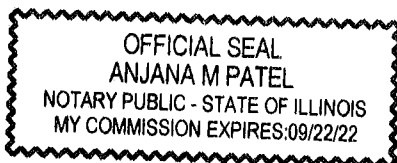
STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this _____ day of _____, 2020, the above named Robert B. Mielke, Mayor, and _____, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My commission expires: _____

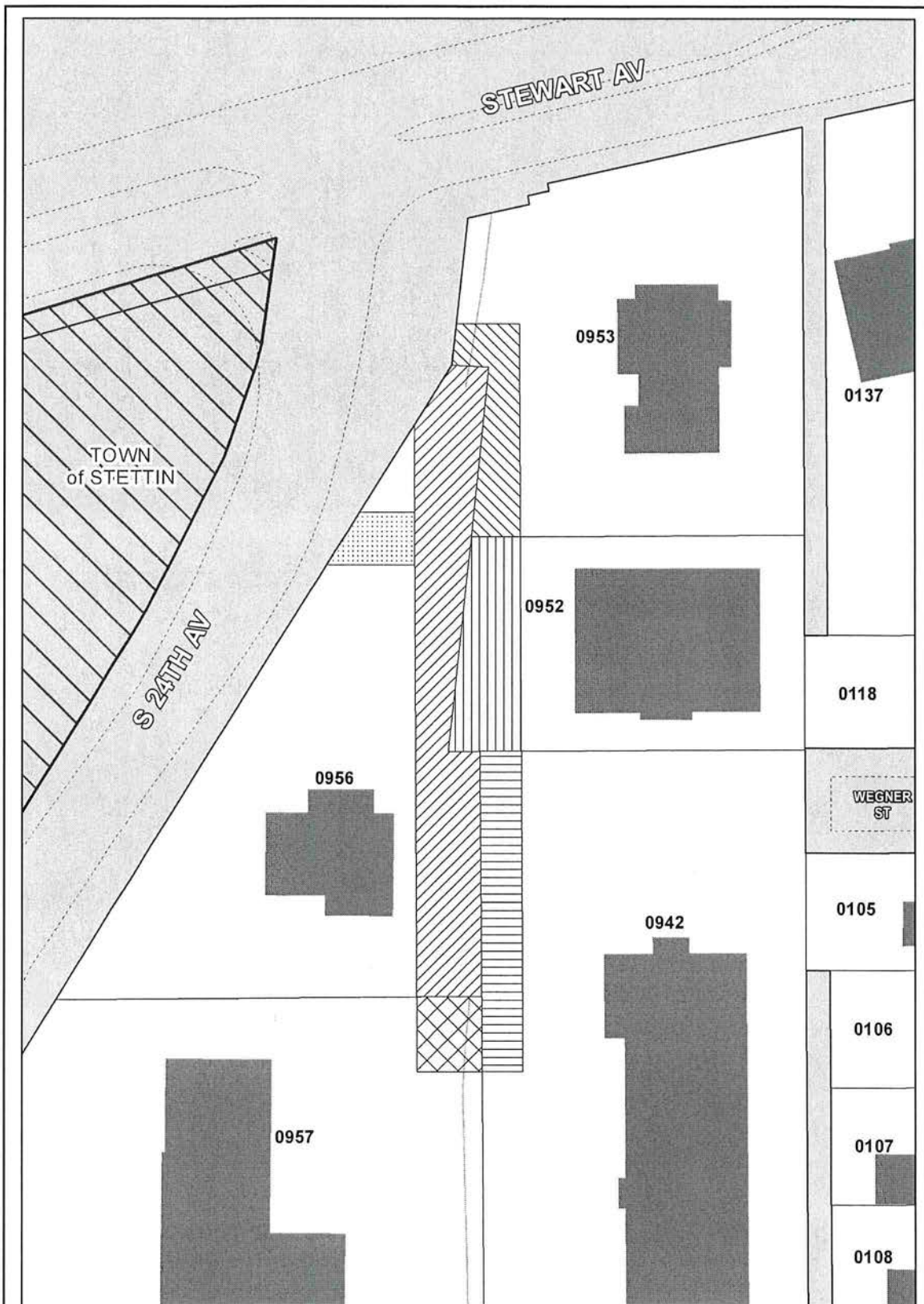
STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

Personally came before me this 3RD day of APRIL, 2020, the above named SHREYAS PATEL, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Anjana M. Patel
Notary Public, ILLINOIS
My commission expires: 09/22/22

This instrument was drafted by
Nathan K. Miller, Assistant City Attorney
for the City of Wausau
407 Grant Street
Wausau WI 54403-4783



City of Wausau
Marathon County Wisconsin

NOTES:
1. DUPLICATION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE CITY OF WAUSAU ENGINEERING DEPT.
2. THIS MAP WAS COMPILED AND DEVELOPED BY THE CITY OF WAUSAU AND MARATHON COUNTY GIS. THE CITY AND COUNTY ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
3. PARCEL FEATURES DEVELOPED FROM MARATHON COUNTY LAND RECORDS.



0 25 50
Feet

- Parcels
- Building Footprints
- Road Edge
- Right - of - Way
- Railroad

Legend

- Proposed Easement
Parcel ID
- 0942
 - 0952
 - 0953
 - 0956
 - 0957
 - Proposed Access Easement

Map Location



**STORM SEWER EASEMENT
AGREEMENT**

THIS AGREEMENT, made this _____ day of _____, 2020, by and between, Wausau Hospitality LLC, 615 S. 24th Avenue, Wausau, WI 54401, Grantor, and the CITY OF WAUSAU, a municipal corporation of the State of Wisconsin, Grantee;

WITNESSETH:

That in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid to Grantor by Grantee, receipt of which is hereby acknowledged, Grantor, has this day conveyed, transferred, and delivered unto Grantee a permanent easement and right-of-way and perpetual right to enter upon the real estate hereinafter described at any time to construct, reconstruct, maintain, inspect and/or repair a storm sewer which may be constructed through and under the lands hereinafter described.

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

Recording Area

Name and Return Address

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

PIN: 291-2907-342-0957

Part of Lot 1 of Certified Survey Map No. 7732 recorded in the Office of Register of Deeds for Marathon County in Volume 29 of Certified Survey Maps on Page 195, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

That part of said Lot 1 contained within the following described parcel:

A 60 foot wide strip of land centered on the following described centerline:

Commencing at the West $\frac{1}{4}$ corner of said Section 34; thence N0°29'01"W, along the West line of the NW $\frac{1}{4}$ of said Section 34, 2656.21 feet to the NW corner of said Section 34; thence S76°25'39"E, 1667.72 feet to the point of beginning of said centerline;

Thence S0°17'49"E, 425.00 feet to the end of said centerline, containing approximately 1550 square feet.

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

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

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

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

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

CITY OF WAUSAU BY:

WAUSAU HOSPITALITY LLC BY:

Robert B. Mielke, Mayor

Mary Goede, Deputy Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

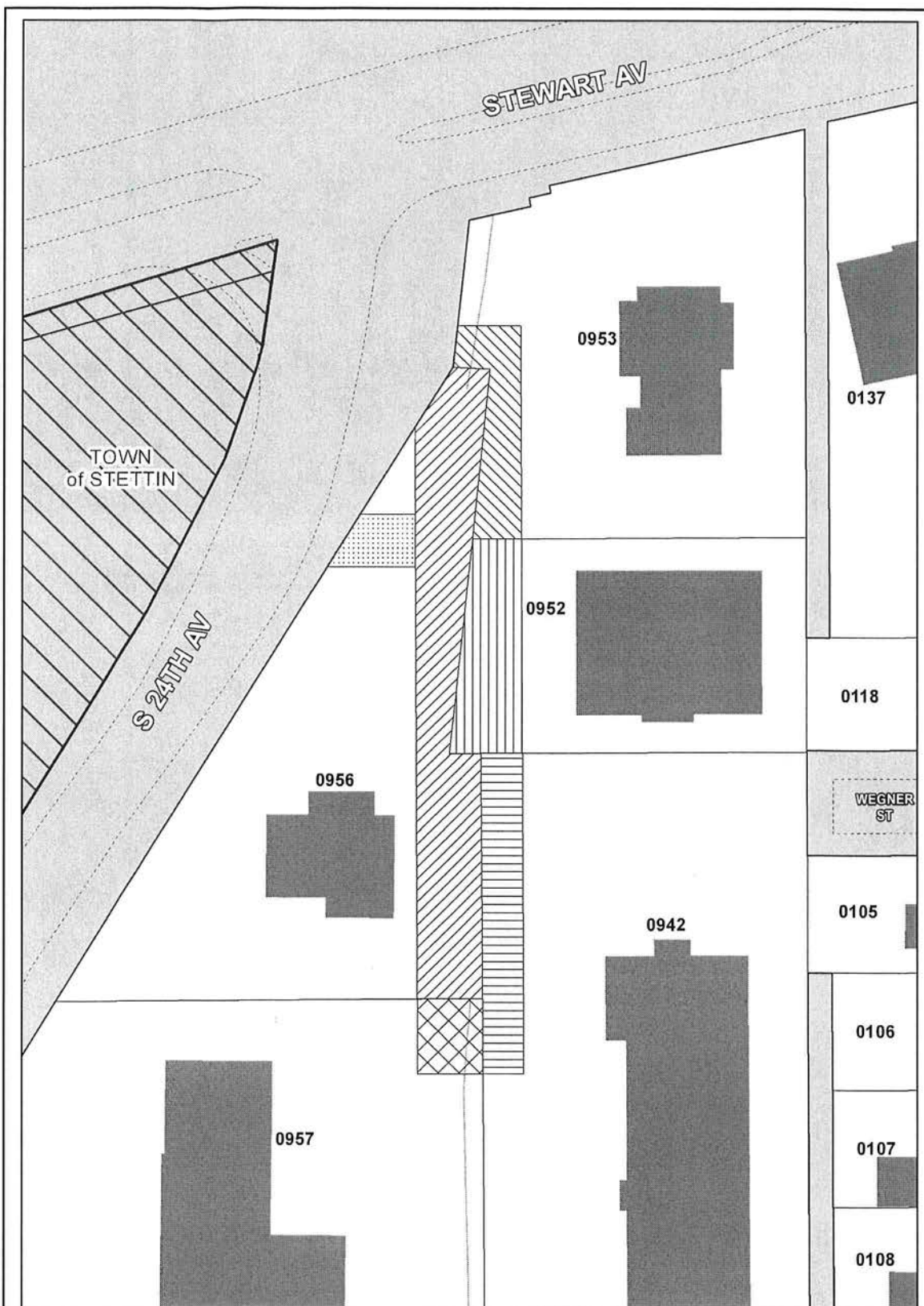
Personally came before me this_____day of_____, 2020, the above named Robert B. Mielke, Mayor, and_____, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My commission expires:_____

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally came before me this_____day of_____, 2020, the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My commission expires:_____



City of Wausau
Marathon County Wisconsin

NOTES:
1. DUPLICATION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE CITY OF WAUSAU ENGINEERING DEPT.
2. THIS MAP WAS COMPILED AND DEVELOPED BY THE CITY OF WAUSAU AND MARATHON COUNTY GIS. THE CITY AND COUNTY ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
3. PARCEL FEATURES DEVELOPED FROM MARATHON COUNTY LAND RECORDS.



0 25 50
Feet

- Parcels
- Building Footprints
- Road Edge
- Right-of-Way
- Railroad

Legend

- Proposed Easement Parcel ID**
- 0942
 - 0952
 - 0953
 - 0956
 - 0957
 - Proposed Access Easement

Map Location



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

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

Approving storm sewer easement with Costigan Properties LLC at 2221 Stewart Avenue

Committee Action: Approved 3-0

Fiscal Impact: None

File Number: 20-0906

Date Introduced: September 8, 2020

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> ☐		

WHEREAS, the City plans to replace a large storm sewer culvert that is failing under the parking lot at 2221 Stewart Avenue; and

WHEREAS, a storm sewer easement will be necessary to replace the culvert; and

WHEREAS, it was discovered the city does not have easement rights to repair or replace the culvert; and

WHEREAS, your Capital Improvements and Street Maintenance Committee, at their March 12, 2020 meeting, discussed and approved entering into a storm sewer easement with Costigan Properties LLC at 2221 Stewart Avenue.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Wausau that it hereby approves the execution of the attached storm sewer easement and the proper city officials are hereby authorized and directed to execute the easement.

Approved:

Katie Rosenberg, Mayor

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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

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

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

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

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

CONSENT AGENDA

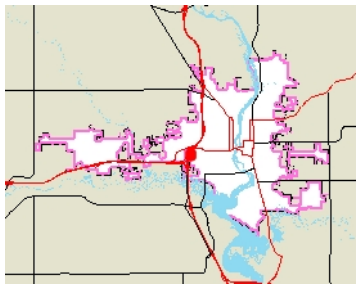
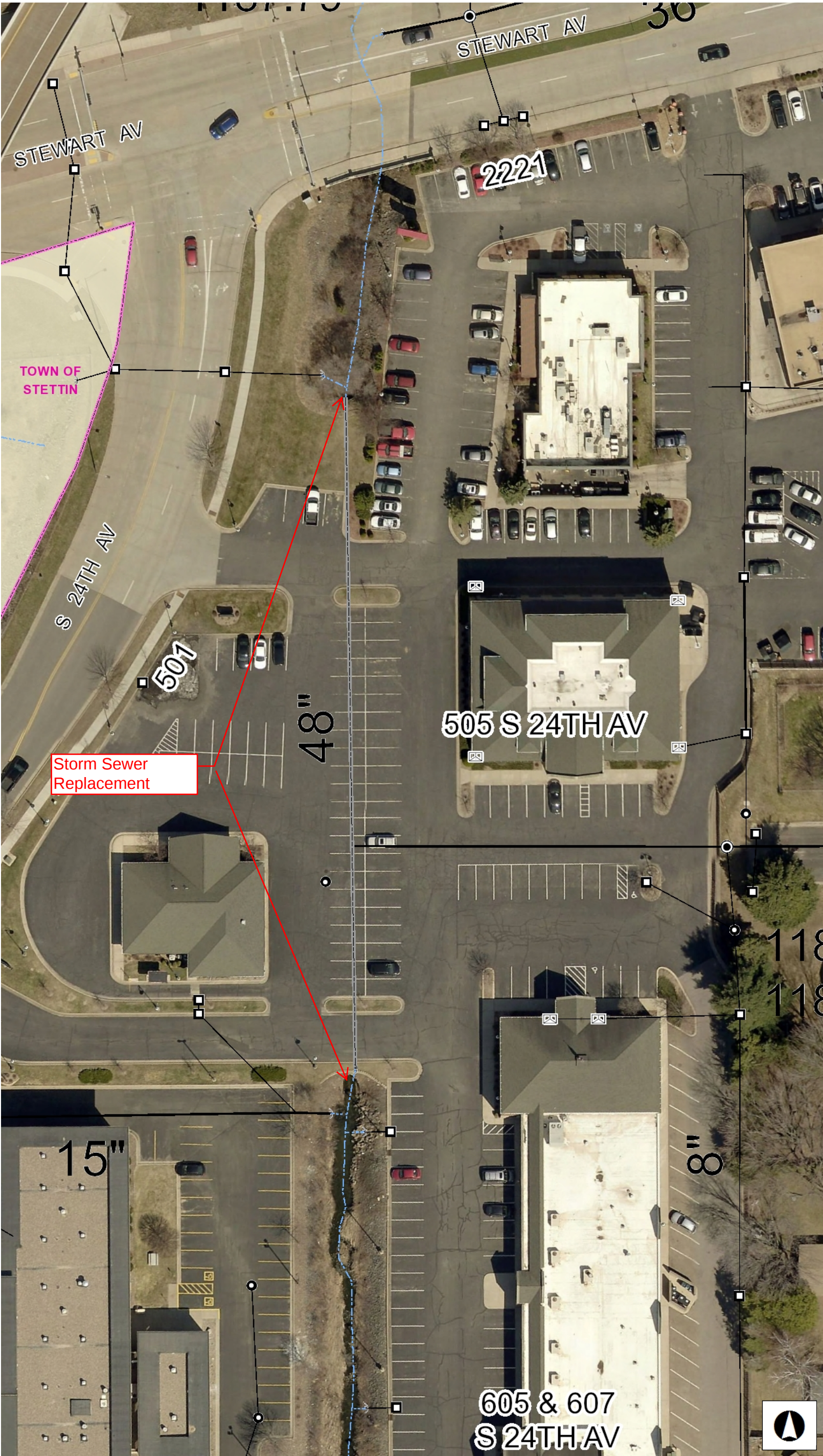
- A. Approve minutes of the February 13, 2020 meeting**
 - B. Action on Storm Sewer Access Easement with Galleria Inc. III at 501 South 24th Avenue**
 - C. Action on Storm Sewer Easement with Galleria Inc. III at 501 South 24th Avenue**
 - D. Action on Storm Sewer Easement with Galleria Inc. II at 505 South 24th Avenue**
 - E. Action on Storm Sewer Easement with Galleria Inc. I at 605 South 24th Avenue**
 - F. Action on Storm Sewer Easement with Wausau Hospitality LLC at 615 South 24th Avenue**
 - G. Action on Storm Sewer Easement with Costigan Properties LLC, Apple Hospitality Group at 2221 Stewart Avenue**
-

Thao moved to approve the consent agenda items. Rasmussen seconded and the motion carried 3-0.

Agenda Item No.
2B – 2G

STAFF REPORT TO CISM COMMITTEE – March 12, 2020

AGENDA ITEM
2B – Action on Storm Sewer Access Easement with Galleria Inc. III at 501 S. 24 th Ave 2C – Action on Storm Sewer Easement with Galleria Inc. III at 501 S. 24 th Ave 2D – Action on Storm Sewer Easement with Galleria Inc. II at 505 S. 24 th Ave 2E – Action on Storm Sewer Easement with Galleria Inc. I at 605 S. 24 th Ave 2F – Action on Storm Sewer Easement with Wausau Hospitality LLC at 615 S. 24 th Ave 2G - Action on Storm Sewer Easement with Costigan Properties LLC, Apple Hospitality Group at 2221 Stewart Ave
BACKGROUND
The large storm sewer culvert under the parking lot at the above addresses is failing and is in need of replacement. See the attached maps for the parcel numbers and the aerial for location. This culvert carries a large storm water flow from major watersheds in the City. The City is proposing to replace the culvert this summer. Upon researching the project, it has been determined the City does not have easement rights to repair or replace the pipe.
FISCAL IMPACT
It is anticipated staff will be able to work with landowners to obtain the easements for a minimal fee. The replacement project of the pipe is budgeted for \$300,000.
STAFF RECOMMENDATION
Staff recommends approving moving ahead with the easements. With approval from CISM, staff will work with the landowners to obtain approval. When easements are obtained from landowners, the final easement documents will be brought to the full council for approval.
Staff contact: Allen Wesolowski 715-261-6762



- Legend
- Section Line/Number
 - Manhole
 - Discharge Point
 - Outlet Structure
 - Inlet (w/Overland Flow)
 - Catch Basin
 - Down Spout
 - Inlet Box
 - Overland Flow
 - Open Drainage
 - Main
 - Collector
 - Culvert
 - Force
 - InletLead
 - Overflow
 - Underground Detention
 - Storage Basin Point
 - Storage Basin
 - Municipality

**STORM SEWER EASEMENT
AGREEMENT**

THIS AGREEMENT, made this ____ day of June, 2020, by and between Costigan Properties LLC, a Wisconsin limited liability company, Grantor, and the CITY OF WAUSAU, a municipal corporation of the State of Wisconsin, Grantee, and by Wisconsin Apple, LLC, solely for the purpose of granting its consent, as tenant in possession of the subject Property, to this Agreement;

WITNESSETH:

Grantor owns the real property legally described on **Exhibit A** attached hereto (the "Grantor's Property").

That in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid to Grantor by Grantee, receipt of which is hereby acknowledged, Grantor, has this day conveyed, transferred, and delivered unto Grantee a permanent easement and right-of-way and perpetual right to enter upon a portion of the Grantor's Property hereinafter described (the "Easement Area") at any time to construct, reconstruct, maintain, inspect and/or repair a storm sewer which may be constructed through and under the lands hereinafter described.

The Easement Area is legally described on **Exhibit B** attached hereto and depicted on **Exhibit C** attached hereto.

In further consideration of this easement by Grantor, Grantee forever agrees to hold Grantor harmless from all damages, loss, or claims which may arise from the existence of this Agreement and the exercise of the Grantee's rights (whether by Grantee, its agents, contractors or invitees) under this Agreement. Grantee shall restore or cause to be restored the Grantor's property, as nearly as reasonably possible, to the condition existing immediately prior to any entry by or on behalf of Grantee.

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

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

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

[Signatures appear on the following page]

Recording Area

Name and Return Address

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

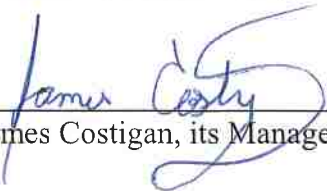
PIN: 291-2907-342-0953

IN WITNESS WHEREOF, this Storm Sewer Easement Agreement has been duly executed the day and year first above written.

CITY OF WAUSAU BY:

Katie Rosenberg, Mayor

COSTIGAN PROPERTIES LLC:

By: _____
James Costigan, its Manager

Leslie M. Kremer, Clerk

CONSENT OF TENANT

The undersigned is the tenant under written lease with Grantor dated July 17, 2017, referenced in that certain Short Form of Lease recorded with the Register of Deeds for Marathon County, Wisconsin, as Document No. 1740558 on July 19, 2017, hereby consents to the foregoing Storm Sewer Easement Agreement.

WISCONSIN APPLE, LLC

By: _____
Seenu Kasturi, its Manager

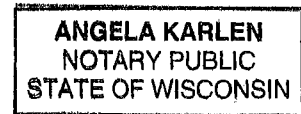
STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

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

Notary Public, Wisconsin
My commission expires: _____

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

State of Wisconsin
County of Marathon



Personally came before me this _ day of June, 2020, the above named James Costigan, as Manager of Costigan Properties, LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Angela Karlen
Notary Public, Wisconsin
My commission expires: 07/15/2023

STATE OF _____)
) ss.
COUNTY OF _____)

Personally came before me this _____ day of June, 2020, the above named Seenu Kasturi, as Manager of Wisconsin Apple, LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of _____
My commission expires: _____

This instrument was drafted by
Nathan K. Miller, Assistant City Attorney
for the City of Wausau
407 Grant Street
Wausau WI 54403-4783

IN WITNESS WHEREOF, this Storm Sewer Easement Agreement has been duly executed the day and year first above written.

CITY OF WAUSAU BY:

COSTIGAN PROPERTIES LLC:

Katie Rosenberg, Mayor

By: _____
James Costigan, its Manager

Leslie M. Kremer, Clerk

CONSENT OF TENANT

The undersigned is the tenant under written lease with Grantor dated July 17, 2017, referenced in that certain Short Form of Lease recorded with the Register of Deeds for Marathon County, Wisconsin, as Document No. 1740558 on July 19, 2017, hereby consents to the foregoing Storm Sewer Easement Agreement.

WISCONSIN APPLE, LLC

By: 
Seenu Kasturi, its Manager

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

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

Notary Public, Wisconsin
My commission expires: _____

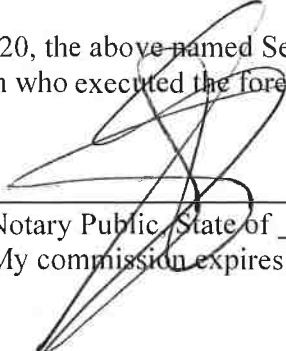
STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

Personally came before me this _ day of June, 2020, the above named James Costigan, as Manager of Costigan Properties, LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My commission expires: _____

STATE OF LOUISIANA)
) ss.
COUNTY OF LAFAYETTE)

Personally came before me this 1st day of June, 2020, the above named Seenu Kasturi, as Manager of Wisconsin Apple, LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Notary Public, State of LOUISIANA
My commission expires: LIFE
63714

This instrument was drafted by
Nathan K. Miller, Assistant City Attorney
for the City of Wausau
407 Grant Street
Wausau WI 54403-4783

Exhibit A

Legal Description of Property

PARCEL A:

All of Lot 1 of Volume 32 of Certified Survey Maps on Page 80; being all of Lot 1 of Volume 32 of Certified Survey Maps on Page 72 and part of Volume 31 of Certified Survey Maps on Page 25 and part of Volume 2 of Certified Survey Maps on Page 109 and being located in part of the Northeast quarter (NE 1/4) of the Northwest quarter (NW 1/4) of Section thirty four (34), Township twenty-nine (29) North, Range seven (7) East, in the City of Wausau, Marathon County, Wisconsin, more particularly described as follows:

Beginning at the Northwest corner of Volume 31 of Certified Survey Maps on Page 25; thence North 77 degrees 44 minutes 28 seconds East, 193.31 feet along the Southerly R/W of Stewart Avenue and the North line of Volume 31 of Certified Survey Maps on Page 25 and the extension thereof to the Northwest corner of Koebke's Addition; thence South 00 degrees 00 minutes 11 seconds East 232.45 feet along the West line of Koebke's Addition; thence North 90 degrees 00 minutes 00 seconds West, 188.96 feet to the West line of Volume 31 of Certified Survey Maps on Page 25; thence North 06 degrees 11 minutes 01 seconds East, 97.16 feet along the West line of Volume 31 of Certified Survey Maps on Page 25; thence North 86 degrees 35 minutes 20 seconds West, 21.21 feet along the Westerly line of said Certified Survey Map to the Easterly R/W of 24th Avenue; thence North 06 degrees 33 minutes 08 seconds East, 94.15 feet along said Easterly R/W to the Northwest corner of Volume 31 of Certified Survey Maps on Page 25 and the Southerly R/W of Stewart Avenue, being the point of beginning of the parcel herein described. Less and except that parcel described in Document No, 1199211 recorded March 6, 2000 in the office of the Register of Deeds for Marathon County, Wisconsin.

PARCEL B:

Easements contained in Parking and Access Easement Agreement for the benefit of Parcel A above, dated December 15, 1994 and recorded in the office of the Register of Deeds for Marathon County, Wisconsin on December 16, 1994 in Volume 695 of Micro-Records on Page 210, as Document No. 1041389.

Tax Key No. 29129073420953
Address: 2221 Stewart Avenue

Exhibit B

Legal Description of Easement Area

Part of Lot 1 of Certified Survey Map No. 8312 recorded in the Office of Register of Deeds for Marathon County in Volume 32 of Certified Survey Maps on Page 80, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

That part of said Lot 1 contained within the following described parcel:

A 60 foot wide strip of land centered on the following described centerline:

Commencing at the West $\frac{1}{4}$ corner of said Section 34; thence $N0^{\circ}29'01''W$, along the West line of the NW $\frac{1}{4}$ of said Section 34, 2656.21 feet to the NW corner of said Section 34; thence $S76^{\circ}25'39''E$, 1667.72 feet to the point of beginning of said centerline;

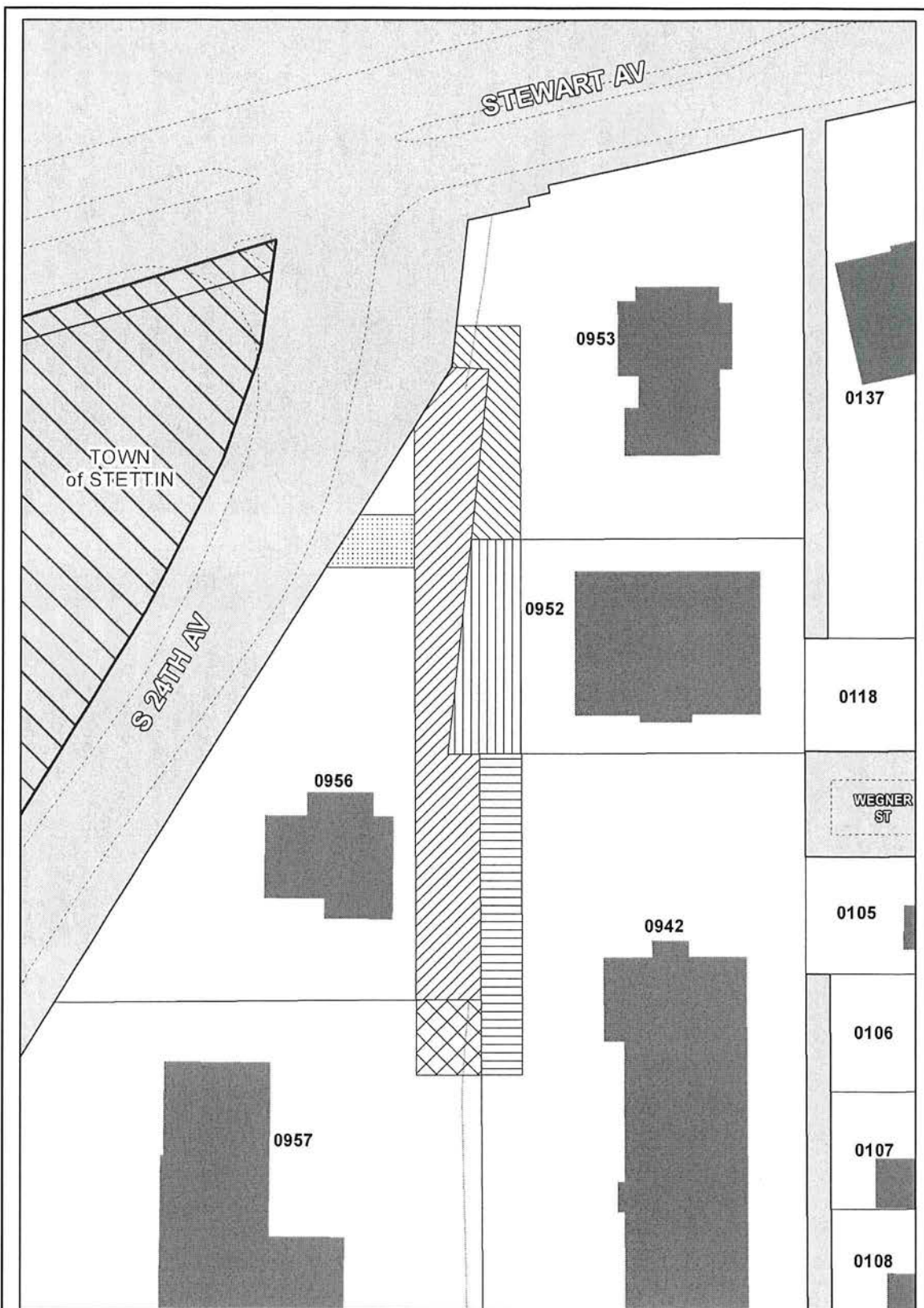
Thence $S0^{\circ}17'49''E$, 425.00 feet to the end of said centerline, containing approximately 3,065 square feet.

Exhibit C

Easement Area



= Easement Area



City of Wausau
Marathon County Wisconsin

NOTES
1. COPIATION OF THIS MAP IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE CITY OF WAUSAU ENGINEERING DEPT.
2. THIS MAP WAS COMPILED AND DEVELOPED BY THE CITY OF WAUSAU AND MARATHON COUNTY GIS. THE CITY AND COUNTY ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
3. PARCEL FEATURES DEVELOPED FROM MARATHON COUNTY LAND RECORDS.



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Feet

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- Building Footprints
- Road Edge
- Right - of - Way
- Railroad

Legend

- Proposed Easement
Parcel ID
- 0942
 - 0952
 - 0953
 - 0956
 - 0957
 - Proposed Access Easement

Map Location



**STORM SEWER EASEMENT
AGREEMENT**

THIS AGREEMENT, made this _____ day of _____, 2020, by and between Costigan Properties LLC, Apple Hospitality Group, 2221 Stewart Avenue, Wausau, Wisconsin 54401, Grantor, and the CITY OF WAUSAU, a municipal corporation of the State of Wisconsin, Grantee;

WITNESSETH:

That in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid to Grantor by Grantee, receipt of which is hereby acknowledged, Grantor, has this day conveyed, transferred, and delivered unto Grantee a permanent easement and right-of-way and perpetual right to enter upon the real estate hereinafter described at any time to construct, reconstruct, maintain, inspect and/or repair a storm sewer which may be constructed through and under the lands hereinafter described.

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

Recording Area

Name and Return Address

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

PIN: 291-2907-342-0953

Part of Lot 1 of Certified Survey Map No. 8312 recorded in the Office of Register of Deeds for Marathon County in Volume 32 of Certified Survey Maps on Page 80, Section 34, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

That part of said Lot 1 contained within the following described parcel:

A 60 foot wide strip of land centered on the following described centerline:

Commencing at the West $\frac{1}{4}$ corner of said Section 34; thence N0°29'01"W, along the West line of the NW $\frac{1}{4}$ of said Section 34, 2656.21 feet to the NW corner of said Section 34; thence S76°25'39"E, 1667.72 feet to the point of beginning of said centerline;

Thence S0°17'49"E, 425.00 feet to the end of said centerline, containing approximately 3,065 square feet.

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

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

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

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

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

CITY OF WAUSAU BY:

COSTIGAN PROPERTIES LLC BY:

Robert B. Mielke, Mayor

Mary Goede, Deputy Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

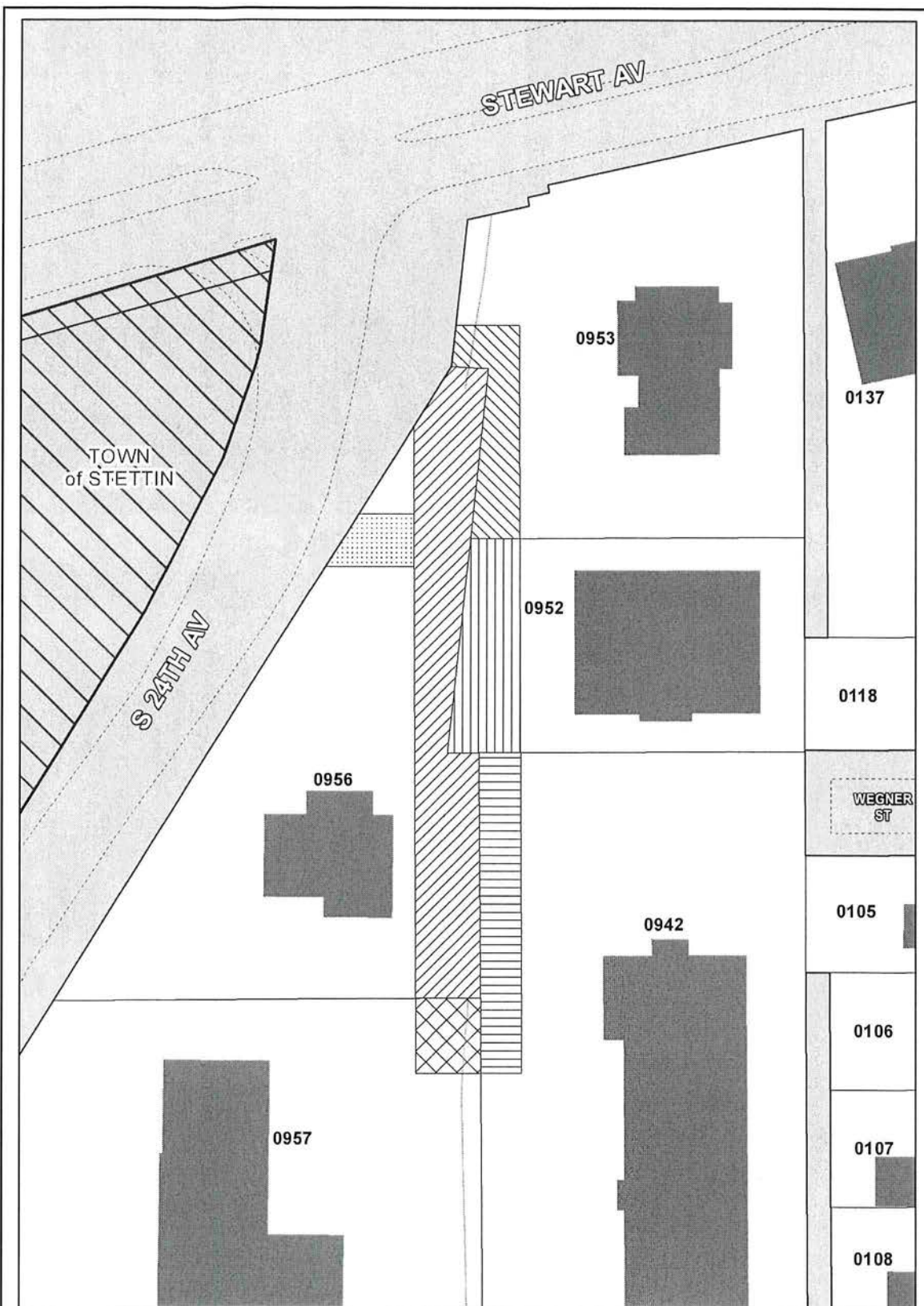
Personally came before me this _____ day of _____, 2020, the above named Robert B. Mielke, Mayor, and _____, Clerk for the City of Wausau, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin
My commission expires: _____

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

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

Notary Public, Wisconsin
My commission expires: _____



City of Wausau
Marathon County Wisconsin

NOTES
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2. THIS MAP WAS COMPILED AND DEVELOPED BY THE CITY OF WAUSAU AND MARATHON COUNTY. THE CITY AND COUNTY ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.
3. PARCEL FEATURES DEVELOPED FROM MARATHON COUNTY LAND RECORDS.



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 - Proposed Access Easement

Map Location



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: 20-0108

Date Introduced: September 8, 2020

FISCAL IMPACT SUMMARY

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

RESOLUTION

WHEREAS, your Public Health and Safety Committee considered certain license applications at its August 17, 2020 meeting and has made recommendations that are attached hereto in the meeting minutes and recommends these actions to the Council for its approval, now therefore

BE IT RESOLVED by the Common Council of the City of Wausau that the City Clerk be hereby authorized to issue the licenses on the attached list, incorporated as part of this resolution, according to recommendations made by the Public Health & Safety Committee and upon successful completion and acceptable proof that all applicable state and municipal regulations and requirements have been met by the applicants.

Approved:

Katie Rosenberg, Mayor

PUBLIC HEALTH & SAFETY COMMITTEE

Date and Time: Monday, August 17, 2020, at 5:15 pm, (Council Chambers)

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

Others Present: Alfonso, Kremer, Goede, Rosenberg, Bliven, Gisela Marks, Tyler Vogt, Blake Opal-Wahoske

Consider approval or denial of various license applications.

Rasmussen stated there were not any denial recommendations for this meeting.

Rasmussen stated a Monster Truck event is scheduled to take place at Marathon Park at the end of the month and expected to draw 3,000 – 4,000 people. She stated the committee would like to have dialogue with the organizer who was intending to join by WebEx, however, the clerk noted he was not present. Goede noted she spoke to Mr. Torgerson by phone and he indicated they were trying to get the Wausau Noon Optimists to apply for a picnic license to serve beer, but the application has not yet been filed. Rasmussen stated there were too many questions on the special event application that were not answered and she wanted to question them regarding their distancing plan. She suggested they approve the other licenses on the list and delay action on Monster Truck to the end of the meeting to allow the organizer time to call in.

Goede noted there is an application from Pine Ridge Mobile, 1205 Merrill Avenue, to add Class A Liquor to their currently held Class A Beer license.

Motion by Peckham, second by Wadinski to approve the licenses on the list, with the exception of the Special Event License for the Monster Truck Tour. Motion carried 5-0.

CLERK'S REPORT TO PUBLIC HEALTH & SAFETY COMMITTEE

August 17, 2020 Meeting

AGENDA ITEM # 2

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

ADDITIONAL INFORMATION

Applications as listed have or will have a background check run by staff and reviewed by the Police Chief or his designee. Applications marked pending will have a status update at the meeting. In accordance with city ordinance, **all permits approved are held for debts owed to the city until the debt is paid in full.**

1. No denial recommendations for this meeting.
2. **Class I Special Events:** 2020 MTE Monster Truck & More, August 29, 2020, Marathon Park Grandstand. (*This item went to Council 8/25/20, but was withdrawn from the Agenda.*)
3. **Class II Special Events:** 2020 IRONBULL Red Granite Grinder Bike Race, October 17, 2020.
4. Other miscellaneous new and renewing licenses: Public Transport Drivers, Sidewalk Cafe

STAFF RECOMMENDATION

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

Mary Goede, Deputy Clerk

Date of Report: August 14, 2020

(715) 261-6621



PHS Date 08/17/2020

License ID	License Typ	Name	Address	Details	Business	Begin Dt	End Dt	Police	PHS	Council
135090	9020 - Public Transport Driver Renewal	JACOBSEN, HENRY	3730 WESTON PINES LN APT 101 SCHOFIELD WI 54476		NORTHWOODS CAB	07/28/2020	06/30/2021	Yes		
135085	9020 - Public Transport Driver Renewal	KVATEK, ROBERT	512 S 3RD AVE, APT 17 WAUSAU WI 54401		NORTHWOODS CAB	07/30/2020	06/30/2021	Yes		
135087	9020 - Public Transport Driver Renewal	spaude, gregory	701 jefferson st Wausau WI 54403		ALL AMERICAN TAXI	08/10/2020	06/30/2021	Yes		
135141	9020 - Public Transport Driver Renewal	WOLFE, JESSICA	231 N 9th Ave WAUSAU WI 54401		NORTHWOODS CAB	08/03/2020	06/30/2021	Yes		
135099	9020 - Public Transport Driver Renewal	YSQUIERDO, JESSICA	126 E CHELLIS ST WAUSAU WI 54401		NORTHWOODS CAB	07/23/2020	06/30/2021	Yes		
137543	9027 - Class II	LARSON, ANDREA	200 WASHINGTON ST, STE 200 WAUSAU WI 54403	2020 IRONBULL RED GRANITE GRINDER BIKE RACE on OCTOBER 17, 2020 Organized by IRONBULL						
137073	9053 - Quadricycle Driver	BONINO, VINCENT	244768 COUNTY RD WW WAUSAU WI 54403		WAUSAU SPOKEEASY	07/16/2020	12/31/2020	Yes		
133292	9018 - Renewal Sidewalk Cafe without Alcohol	,	615 N 3RD ST WAUSAU WI 54403		SWEET'S ON THIRD	07/28/2020	06/30/2021			
137202	9080 - Public Transport Driver New	IVY, JOHN	714 JACKSON ST WAUSAU WI 54403		NORTHWOODS CAB LLC	07/21/2020	06/30/2021	Yes		

Total Licenses

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

CONFIRMATION OF MAYOR'S APPOINTMENTS

to Boards, Commissions and Committees: *Liberation and Freedom Committee*

File Number: 20-0903

Date Introduced: September 8, 2020

Liberation and Freedom Committee

Tom Kilian
*Replacing Tom Neal

133 E Thomas St

Term of Office

'715-571-8108

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

Approved:

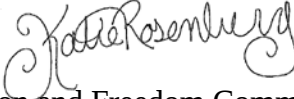
Katie Rosenberg, Mayor



MEMORANDUM

DATE: September 4, 2020

TO: Mary Goede, Leslie Kremer

FROM: Mayor Katie Rosenberg 

RE: Appointment to Liberation and Freedom Committee

Please add the following appointment to the agenda for the Council Meeting on Tuesday, 9/8/20.
If you have any questions, please call my office.

Thank you.

LIBERATION AND FREEDOM COMMITTEE

Aldersperson:
Tom Kilian (Replacing Tom Neal – Term of Office)
133 E. Thomas Street
Wausau, WI 54401
715-571-8108
Tom.kilian@ci.wausau.wi.us

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

RESOLUTION OF THE FINANCE COMMITTEE

Approving the 2020 budget modification for Parks Playground Equipment

Committee Action: Approved

Fiscal Impact: \$110,000

File Number: 19-1109

Date Introduced: September 8, 2020

FISCAL IMPACT SUMMARY

COSTS	<i>Budget Neutral</i>	Yes ☒ No ☐	
	<i>Included in Budget:</i>	Yes ☐ No ☒	<i>Budget Source: Community Development Impact Fund Loan</i>
	<i>One-time Costs:</i>	Yes ☒ No ☐	<i>Amount: \$110,000</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> ☒		

WHEREAS, the swimming pools were closed during the summer of 2020 to reduce the transmission of COVID 19, and

WHEREAS, the parks budget experienced savings due to reduced net costs of pool operations; and

WHEREAS, your Parks Committee has reviewed and recommended these savings be used to fund capital improvements to playground equipment; and

WHEREAS, your Finance Committee has reviewed and recommends a budget modification to transfer net pool operation savings to playground capital equipment:

Transfer From	Parks Department Budget salarie and supplies	110,000
Transfer To	Capital Project Fund Playground Equipment	110,000

NOW, THEREFORE, BE IT RESOLVED, that the proper city officials modify the budget as presented above and publish the budget modification in the official city newspaper.

Approved:

Katie Rosenberg, Mayor

FINANCE COMMITTEE

Date and Time: Wednesday, August 12, 2020 @ 5:16 pm., Council Chambers

Members Present Rasmussen, Martens, Herbst, Watson, and Ryan (via WebEx)

Others Present: Groat, Rosenberg, Kremer, Lindman, Jacobson, Chmiel, Barnes, Hebert, Miller, David Wilkins – Jerry's Towing

Discussion and possible action regarding budget modification to allocate \$110,000 from Parks Swimming Pool operating budgets to playground replacement program

Rasmussen stated the committee previously discussed taking the operational savings from not opening the swimming pools for some other type of community use, such as a new playground or a playground upgrade to a park. She indicated the Park & Rec Committee considered some options and are recommending a playground upgrade at 3M Park at the end of 3rd Avenue.

Ryan stated that she received some email from Werle Park area residents about whether that area would see upgrades with these funds. Jamie Polley, Parks Director, explained Werle Park is not quite as old as 3M Park on their replacement schedule and it is also more of a Tot Lot than a community park. The 3M Parks works in the timeline and serves a pretty big area with the use of that park with the ball diamonds.

Motion e by Watson, second by Herbst to approve the budget modification allocating \$110,000 as recommended by the Park & Rec Committee. Motion carried 5-0.

DRAFT

CITY OF WAUSAU – PARK AND RECREATION COMMITTEE MEETING MINUTES

Date/Time: July 6, 2020 at 4:30 p.m. Location: Council Chambers, City Hall

Members Present: Tom Kilian, Lou Larson, Tom Neal, Pat Peckham (c), Sarah Watson

Others Present: Jamie Polley-Director, Greg Freix-Asst. Director of Operations, David Patridge-Administrative Officer, Katie Rosenberg-Mayor, Anne Jacobson-City Attorney, Paula Meadows, other interested parties

1. In accordance with Chapter 19, Wisc. Statutes, notice of this meeting was posted and sent to the Daily Herald in the proper manner. It was noted that a quorum was present and due to technical difficulties the meeting was called to order by Chairman Peckham at 4:49 p.m.

2. **Public Comment**

Paula Meadows 1302 Madison St. Wausau – Her suggestions for the extra pool funds included a grand reopening event at the pools next year, more free days at the pools or a free month, giving some funds to the furloughed lifeguards, or for playgrounds or tennis courts.

3. **Approval of Minutes** – June 1, 2020 – **Motion** by Neal, second by Watson to approve the Park and Recreation Committee draft June 1, 2020 minutes. Motion **carried** by voice vote, vote reflected as 5-0.

4. **Discussion and Possible Action Authorizing the Execution of Lease for Radtke Point Park and Grace Park with the City of Schofield** – **Motion** by Neal, second by Larson to authorize the execution of the lease for Radtke Point Park and Grace Park with the City of Schofield. Motion **carried** by voice vote, vote reflected as 5-0.

5. **Discussion and Possible Action Regarding the Usage of Funds Not Expended on City Pool Operations** – Staff had brought forward some different options which included continuation of the playground replacement program (playgrounds left to replace include Riverside, 3M, River Highlands and Westview Terrace), skate park upgrade, Sylvan parking lot replacement, tennis court replacement, and Memorial Park seawall replacement. A majority of members supported putting the money towards playground replacement. Lengthy discussion ensued about the playgrounds and how to distribute the funds. **Motion** by Larson, second by Kilian for staff to utilize the \$110,000 to continue the playground replacement program by splitting the funds to prioritize one playground and then putting the remainder towards another that is a distance away from the first. Motion **carried** by voice vote, vote reflected as 5-0.

6. **Discussion and Possible Action Requesting Funds for an Environmental Consultant to Prepare Recommendations to Test the Waters of the Wisconsin River** – Peckham thought that some citizens would appreciate knowing the results if testing were done on the Wisconsin River. Neal had concerns about the necessity as rivers and lakes are inherently unsafe with ongoing concerns about Blastomycosis along shorelines and what disturbed riverbeds can unleash. Kilian thought the City should have a municipal environmental justice policy and use the most protective standard, such as the codified State standards, when dealing with environmental matters. He gave past history regarding drinking and ground water issues that Wausau had in the 1980's. He would rather have a more solidified environmental policy at the municipal level and doesn't necessarily agree with saying things are safe based on a toxological opinion but thinks they need to use the most protective standard. He noted a recent Supreme Court decision (County of Maui v. Hawaii Wildlife Fund) which he said made clear that ground water discharges were covered under the Clean Water Act and has questions into the DNR about how that may impact their approach to local issues. He thought it would be wise to have a working group on this matter and future environmental matters and would like to table this item. Larson would like to see the sediment tested as well and wanted to have suitable guidelines regarding exceedances and non-exceedances in front of them. Peckham felt the Department of Health Service's letters have been valuable because it gave everyone a better handle on what the DNR's numbers meant. Originally he had asked the DNR if they would come and address a community meeting to field concerns about the contamination in Riverside Park and they wouldn't do it because they said it was a public health issue. That was how they ended up with the State who he felt has helped them to understand what they are dealing with. Kilian added that if they look at this item in the future he felt they should look at the sediment versus the surface water if they have to choose between the two. Neal said as they consider testing the sediment they have to know full well that remediation would be almost non-existent and impossible as there are regulations to disturbing that riverbed. They can do a lot of testing to find out there is a lot of stuff that they can't do anything about. **Motion** by Kilian, second by Larson to table this item to an indefinite date when a broader approach can be taken. Motion **carried** by voice vote, vote reflected as 5-0.

7. Educational Items

A. Dog Park Special Committee Update – The waterline for the drinking fountain will be installed sometime during the week of June 29. Following the installation of the waterline Park staff will prep the parking lot area with gravel base for paving. Pubic Work is coordinating the paving and concrete work. Fencing is scheduled to be installed in early August. The committee will review fundraising amounts and signage at their meeting following this meeting. Freix explained that staff is aware that some of the areas need reseeding and discussed some of that work.

B. Project Update – Pleasant View Park: Installation of the new playground is underway by park staff. City Ball Diamonds: Baseball and softball diamonds are being groomed and prepped for use which will begin July 6. Athletic Park: Facility is being prepared for the start of the Wisconsin Woodchuck season July 2. This includes modifications for COVID-19. Oak Island Park: Contractor has just completed the playground installation and PIP colored safety surfacing. Park staff will begin site remediation next week. Barker Stewart Island: Staff is preparing for vegetation management activities per work plan. Isle of Ferns: 6 wooden pole lights are being replaced with 11 decorative and energy efficient (LED) pole lights along the existing path. (project was put on hold since last meeting). Routine Operations/Programs: Mowing Operations; all three mowing crews are in routing mode with full staff. Urban forestry program; EAB treatment in progress; tree trimming, removals, stump grinding, Building and structure maintenance. Shelter reservations and Special Events; Equipment maintenance and repair. Restroom Maintenance; increased maintenance (daily) and staffing due to COVID 19 recommendations.

C. Riverside Park Testing Update and Next Steps – To date, after all the tests in the park, an exceedance was found in one location (culvert). The WDNR is now asking for a few more tests in that one area to outline the exact boundary of soil which is above standards. No other action is required in the rest of the park. Once that is completed and the outline of soil is identified, remedial options (most likely digging out the small area of contaminated soil and replacing with new clean soil) will be completed. After this the site would be ready for closure. Peckham clarified that the toxicologist had sent two letters and the first letter had to do with the testing in the rail corridor and the second letter was in regard to the testing in the park area. He believed this item has moved into a different phase where the DNR has decided to take more of a role and has told the City what it is going to do. Kilian felt what was happening now was positive. The DNR has laid out clearly that they have State soil standards and there were three samples around the culvert area in the park that exceeded those standards for a non-industrial setting. The DNR has asked the City to delineate the extent of that contamination and then remedial options would be discussed. He felt it's been a long process but is important because it kind of sets a precedent of how they deal with contamination that exceeds State standards. Ultimately it has satisfied the State standards and the communities concerns. He thanked everyone that had been involved and worked on it.

D. Update on City/County Parks Agreement and Role of Parks and Recreation Committee and Park Commission – The City of Wausau and Marathon County have a unique relationship as it pertains to Parks and Recreation services that dates back to 1925. During COVID-19 and the ever changing orders and recommendation as it pertains to City park facilities the authority to enforce these recommendations was questioned, raising further questions about the County Department and the roles of the City Parks and Recreation Committee and County Park Commission. Staff has reviewed close to 100 years of documents to get a clearer understanding of the relationship and the operations of the Department. Polley gave history that a study was conducted in 1971 of both the City Park Board and the County Park Commission for the purposes of combining them as one single unit which became effective in 1975. The Mayor appointed three members of City Council and County Board appointed three members to the seven member Park Commission. There is also one member at large on the Commission. The City transferred all Park Department personnel to the County and the salaries of non-represented employees and equipment was shared 50/50. Subsequent resolutions took place, one in 1983 that enabled park rangers to enforce rules consistently whether it was in a County or City park. Over the years there have been multiple discussions on the joint venture and what the Department does. In 2002 under Mayor Lawrence the City Park and Recreation Committee was created to increase advocacy of park and recreation needs on the City Council. The Marathon County ordinance was amended to create this Park Committee but nothing was done on the City side to create it so there's been question on not only the Director's authority but the authority of the City Committee because it doesn't look like it's an actual Standing Committee. The Committee that should govern the parks operations is the joint Park Commission.

Polley said it's only her second year as the Director and there is a new Mayor and County Administrator so they had a meeting with the City Attorney, County Corporation Counsel, and the Chair's to talk about clarifying some things because staff has been practicing under the rule that City related items go to the City Park and Recreation Committee and County related items go to the Park Commission. She felt if they operated under the assumption of how it should be operated it's that they don't look at City versus County and they look at the park system as a system and that is what the original joint Park Commission

was originally set up to do. The next step would be to bring this to the Committee of the Whole to give the background, what they are operating under and clarifying the vision going forward.

Jacobson felt this was a good opportunity to look at the purposes for which the Commission and the Committee exist so that efforts don't overlap and for Polley who sometimes has to present things twice while attending double meetings. It's an opportunity to discuss the agreements and whether or not they want a Park Committee to continue to exist on the City side and then what functions they would want to maintain. She believed under the statutes they did give all authority to the joint Park Commission to manage and control the City parks, but over time certain habits have developed. There will be ongoing discussion to clarify the roles and make things more efficient. Mayor Rosenberg wanted to make sure that staff time is being used effectively and efficiently and started to figure out what the duties of this Committee should be and if it is the right use of their time. When she looked at how this has been legislatively delegated throughout the years it made the most sense to her to consider maybe transitioning towards using the Park Commission model to its fullest potential sometime in the future. There were personality conflicts in the past and threats to split up the Department and she wanted to clarify that that is not what this is about, it's about being effective and efficient which is important for all of their time. Neal saw their reason for being a Committee as representing the city taxpayers who have neighborhood issues and could only see going to a Commission model if it were representational about the distribution as to not load rural against urban or vice-versa. He did not want to see his advocating for City parks diluted by potentially having less control about what's inside their limits. Rosenberg said they still have three people from the City Council on the Park Commission and the ultimate power lies in budgeting. If the City wants something repaired in a City park it gets fixed because the City budgets for it. Peckham wanted everyone to know that this isn't already a done thing; that it is something being discussed. He also wanted to point out that if a portion of the Park Commission wanted to fix something in a City park and the Park Commission said no that the City members could still bring it back to City Council. Polley said future discussion will need to be about how they want to function and it may be the same way that they have been doing but some things will need to be cleaned up on both the County and the City side.

E. Update on Wildlife in City Parks – The Wausau Marathon County Parks Recreation and Forestry Department manages properties and facilities in both urban and rural locations and are responsible for minimizing damage from any known source. Occasionally that damage or potential damage may come from wild animals. Some past examples of animal damage encountered by the Department include: Rodents; includes mice, voles, rabbits, squirrels, beavers and deer. Primary damage is from chewing/browsing on building material, plant material which includes small ornamental varieties to trees. Deer also cause damage from rubbing. Canadian Geese; primary damage is from droppings left on hardscaped walks/trails and sports fields. Bats; primary damage is from droppings left in building interiors. Raccoons; primary damage is nuisance garbage spreading (i.e. dumpsters and trash cans). Bears; Primary damage is nuisance garbage spreading. The Department does not have a specific policy on animal control but rather identifies if action is needed on a case by case basis. If control is deemed necessary based on damage potential a determination is made as to the method most applicable to the situation and animal species involved. In addition to property damage staff also considers the potential risk of disease transfer from the presence of any wildlife species. The Department also follows the Nuisance Animal Guidelines as recommended from the WDNR. The primary methods of control used by the Department include: exclusion; i.e. fencing, tree wrapping, sealing building cracks and holes; habitat modification / alteration; i.e. selecting non desirable plant species, shoreline riprap; frightening devices; i.e. predator decoys, lighting, sirens/horns; trapping; includes live, lethal and hand capture; Repellents.

Neal mentioned staff should be careful about what they consider a clear and present problem as some people had been upset about beaver being bothered in Bluegill Bay Park. Freix said that wildlife control is a subjective thing. He felt Fern Island was a perfect example of what beavers can do as there is still evidence today of the trees the beavers took down over a couple week period last year. Staff had to make a decision about what to do at Bluegill Bay Park because they know what can happen in a short period of time and in that particular instance no beavers were removed because there were none present when they tried locating them. Staff tries to make the best decision in the most humane manner but they do need to protect the resource because there are also people that would say those trees are very valuable too and they need to be preserved.

8. Future Agenda Items – Riverside Park Soil Remediation

9. Next Meeting Date – August 3, 2020 at 4:30pm

10. Adjourn - **Motion** by Neal, second by Kilian to adjourn at 6:20pm. Motion **carried** by voice vote, vote reflected as 5-0.

RESOLUTION OF THE FINANCE COMMITTEE

Approving the 2020 budget modification for Elections

Committee Action: Pending

Fiscal Impact: \$82,590

File Number: 19-1109

Date Introduced: September 8, 2020

FISCAL IMPACT SUMMARY

COSTS	Budget Neutral	Yes ☐ No ☒	
	Included in Budget:	Yes ☐ No ☒	Budget Source: Community Development Impact Fund Loan
	One-time Costs:	Yes ☒ No ☐	Amount: \$82,590
	Recurring Costs:	Yes ☒ No ☐	Amount:
SOURCE	Fee Financed:	Yes ☐ No ☒	Amount:
	Grant Financed:	Yes ☒ No ☐	Amount: \$35,000 COVID Grants
	Debt Financed:	Yes ☐ No ☒	Amount Annual Retirement
	TID Financed:	Yes ☐ No ☒	Amount:
	TID Source: Increment Revenue ☐ Debt ☐ Funds on Hand ☐ Interfund Loan ☒		

WHEREAS, the 2020 election expenses have increased significantly due to the expanded participation in absentee voting and COVID safety precautions, and

WHEREAS, the Safe Election Committee recommends implementing drive through voting to encourage safe voting, and

WHEREAS, a projection of expenses reveal that the budget will be insufficient to cover costs and a budget shortfall of \$82,590 is expected, and

WHEREAS, some of these additional costs will be offset through COVID grants provided by the Wisconsin Election Commission and the State of Wisconsin, and

WHEREAS, the police department budget received a budget modification for special event staffing which will not be needed due to the lack of events, and

WHEREAS, your Finance Committee has reviewed and recommends a budget modification as follows:

Increase	110-8193110	Election Budget printing, postage and election work	82,590
Increase	110-71082480	Roads To Recovery Grants	35,000
Decrease	110-36091350	Patrol Event Staffing	47,590

NOW, THEREFORE, BE IT RESOLVED, that the proper city officials modify the budget as presented above and publish the budget modification in the official city newspaper.

Approved:

Katie Rosenberg, Mayor