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

OFFICIAL NOTICE AND AGENDA

of a meeting of a City Board, Commission, Department Committee, Agency, Corporation, Quasi-Municipal Corporation or Sub-unit thereof.

Notice is hereby given that the CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE of the City of Wausau, Wisconsin will hold a regular or special meeting on the date, time and location shown below.

Meeting of the:	**CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE OF THE CITY OF WAUSAU**
Date/Time:	**Thursday, March 10, 2022 at 5:15 p.m.**
Location:	**City Hall (407 Grant Street, Wausau WI 54403) - COUNCIL CHAMBERS**
Members:	Lisa Rasmussen (C), Lou Larson, Tom Neal, Debra Ryan, Jim Wadinski

AGENDA ITEMS FOR CONSIDERATION

1. Approval of minutes of the February 10, 2022 meeting.
2. Public Hearing: Vacating and discontinuing an alley lying north of 410 North 6th Avenue between Oak Street, Cedar Street, North 6th Avenue and North 7th Avenue.
3. Discussion and possible action on vacating and discontinuing an alley lying north of 410 North 6th Avenue between Oak Street, Cedar Street, North 6th Avenue and North 7th Avenue.
4. Discussion on sidewalk encroachment for 628 North 3rd Avenue.
5. Discussion and possible action on creating ordinance Section 12.44.070 Installation of Parklets.
6. Discussion and possible action on approving Governmental Responsibility Resolution for Application of an Urban Nonpoint Source (UNPS) and Stormwater Management Construction Grant.

Adjournment

LISA RASMUSSEN - Committee Chair

This meeting is being held in person and/or via teleconference (all public participants' phones will be muted during the meeting) by **calling 1-408-418-9388. The Access Code is: 2496 760 1959 The Password is: MNqcvKmQ293**

Members of the public who do not wish to appear in person may view the meeting live over the internet on the City of Wausau's YouTube Channel http://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 lori.wunsch@ci.wausau.wi.us with "CISM 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 Chair.

This Notice was posted at City Hall and transmitted to the Daily Herald newsroom on 03/04/22 @ 2:30 p.m. Questions regarding this agenda may be directed to the Engineering Department at (715) 261-6740.

It is possible that members of and possibly a quorum of the Common Council and/or members of and possibly a quorum of other committees of the Common Council of the City of Wausau may be in attendance at this meeting to gather information. No action will be taken by any such groups at this meeting other than the committee specifically referred to in this notice.

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.

Distribution List: City Website, Media, Committee Members, Mayor, Council Members, Assessor, Attorney, City Clerk, Community Development, Engineering, Finance, Inspections, Park Dept., Planning, Public Works, County Planning, Police Department, Wausau School District, Becher Hoppe Associates, REI, Judy Bayba, Scholfield Group, Clark Dietz, Inc., Brown and Caldwell, Tyler Vogt, Wausau River District.

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: February 10, 2022, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Lisa Rasmussen, Lou Larson, Tom Neal, James Wadinski, Deb Ryan

Also Present: Eric Lindman, Allen Wesolowski, Tara Alfonso
By WebEx: Cord Buckner

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 5:15 p.m. Chair Rasmussen called the meeting to order.

Approve minutes of the January 13, 2022 meeting

Neal moved to approve the minutes of the January 13th meeting. Larson seconded and the motion passed 4-0-1 with Ryan abstaining.

Discussion and possible action on Preliminary Resolution to hold a public hearing to vacate excess right-of-way located on the east side of 17th Avenue, abutting the west property line of 1607 Chellis Street, the south property line of 1427 Lake Street, and a portion of the south property line of 1425 Lake Street

Lindman explained a developer who is under contract to purchase 1601 and 1607 Chellis Street approached staff. They would like consideration for putting townhomes on these two properties and would like access across 1427 Lake Street from Lake Street heading south. Currently 1427 Lake Street is not directly connected to 1607 Chellis. Vacation of the right-of-way would give them additional width on the property for their development as well as a connection for access.

Larson asked if the Wausau sign would need to be moved so vehicles can access the property safely. Staff feels there is enough space there for the sign and the sign would remain within the right-of-way. If vacated as proposed, there should be enough room to create a driveway.

Larson moved to approve moving forward with a public hearing. Ryan seconded and the motion carried 5-0.

Discussion and possible action on Alexander Davis Preliminary Plat (former Wausau Center Mall site)

Tom Radenz, REI, provided an air photo of the site from 1974 showing 3rd Street, 2nd Street, Jackson Street, Washington Street, and 4th Street going all the way through. They would like to get back to that grid system through the development process. He provided Toole's design showing 78' right-of-way. He explained the current land ownership and current air rights/ground leases. The proposed plat would divide the land and clean up some title issues. Radenz walked through each lot of the preliminary plat. The entire presentation can be viewed at https://www.youtube.com/watch?v=AFaDxjhQ0Xg

Ryan thought originally the Sears area was to be green space. Per Rasmussen, there were two buildings proposed on that side. Radenz noted the current design shows a building with a courtyard. However, that building and the building to the west may end up being U shaped with a courtyard in the middle and a pedestrian corridor to 3rd Street.

Regarding the pedestrian walkway, Ryan asked if there would be a place for buses to drop off and pick up. Radenz does not intimately know the bus route but assumes the route would include picking up people in this area. The pedestrian walkway would terminate at River Drive. Ryan asked if it would be motorized so people with disabilities could use it. Radenz indicated the walkway would be set up at a grade that is ADA acceptable. Ryan asked if there is an alternative plan if this does not get State grant approval. Rasmussen noted the pedestrian bridge is not part of the plat and would need to be addressed separately.

Wadinski moved to approve. Neal seconded and the motion carried 3-2 with Ryan and Larson the dissenting votes.

Regarding future agenda items, Larson would like to get a list of vacant City lots so that they could possibly be put up for sale. Rasmussen mentioned there was a list in the past from Community Development where minimum bid prices were set. This committee typically disposes of remnant parcels. Economic Development would put a price tag on parcels that are larger and buildable.

Adjourn

Neal moved to adjourn the meeting. Wadinski seconded and the motion carried unanimously 5-0. Meeting adjourned at approximately 5:40 p.m.

O:\Engineering\LMW\CISM Agendas & Minutes\2022\Minutes0210.doc

Agenda Item No.
2 & 3

STAFF REPORT TO CISM COMMITTEE – March 10, 2022

AGENDA ITEM

2. Public Hearing: Vacating and discontinuing an alley lying north of 410 North 6th Avenue between Oak Street, Cedar Street, North 6th Avenue, and North 7th Avenue

3. Discussion and possible action on vacating and discontinuing an alley lying north of 410 North 6th Avenue between Oak Street, Cedar Street, North 6th Avenue, and North 7th Avenue

BACKGROUND

The Engineering Department received a petition to vacate the alley as described above and as shown on the attached map. This public hearing will give the residents along the alley the opportunity to speak on the issue.

FISCAL IMPACT

None

STAFF RECOMMENDATION

Recommend approval depending upon public comment.

Staff contact: Allen Wesolowski 715-261-6762

N

0 25 50 100 Feet

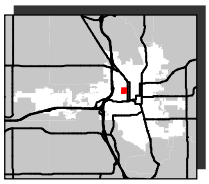
Map Date: January 03, 2022

CITY OF WAUSAU

Marathon County, Wisconsin

Legend

- Existing Building
- Existing Right-of-Way
- Proposed Alley Vacation
- Municipal Boundary



PETITION

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

For Office Use

RECEIVED
DEC 27 2021
Date Filed with City Clerk
CITY OF WAUSAU
CITY CLERK

A Petition For:

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

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

Partial alley vacationing for the alley between 6th & 7th Avenues between Oak street south to the property of 410 N. 6th Ave.

Signature of Electors	Print Name Clearly	Print Home Address	Date of Signing
1.	ANASTASIA MARTENS	432 N 6th Avenue	12/03/21
2.	Dustin Waller	416 N 6th Ave	12/04/21
3.	Jake Kislow	420 N 6th Ave	12/8/21
4.	Delores Sterbert	424 N. 6th Ave	12/8/21
5.	Kelley Gabor	431 N 7th Ave	12-10-21
6.	Derek Redmond	423 N 7th Ave	12-14-21
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

AFFIDAVIT OF CIRCULATOR

STATE OF WISCONSIN
CITY OF WAUSAU

Anastasia Martens being duly sworn disposes and says that he is a resident of the affected area, residing at 432 N 6th Ave in the City of Wausau; that he is personally acquainted with the persons who have signed the foregoing petition; that he knows them to be residents of the affected area; that they signed the same with full knowledge of the contents thereof; that their respective residents are stated therein; that each signer signed the same on the date stated opposite his name; and that he intends to support the petition.

Filed in the Office of the City Clerk and sworn to before me this 27th day of December, 2021

Mary A. Goode
Signature of City Clerk or designee
Deputy Clerk

A Martens
(Signature of Circulator)

432 N 6th Ave, Wausau, WI 54401
(Address of Circulator)

Agenda Item No.
4

STAFF REPORT TO CISM COMMITTEE – March 10, 2022

AGENDA ITEM

Discussion on sidewalk encroachment for 628 North 3rd Avenue

BACKGROUND

The Engineering Department received a request from Tyler Voight, the tenant at 628 N. 3rd Avenue, to discuss with CISM the possibility of a sidewalk encroachment for a future expansion/remodel of the building. The encroachment would be a retractable staircase to access the roof for rooftop dining. Pictures of the concept are attached. Mr. Voight is not seeking approval at this time, but direction from the committee if this is something this committee would consider as appropriate for this location.

FISCAL IMPACT

None

STAFF RECOMMENDATION

Discussion item only.

Staff contact: Allen Wesolowski 715-261-6762

For consideration:

Creating a variance or encroachment to add external staircase for customers to access roof top of diner.

We have an accepted offer on the property, and before putting on a new commercial roof we are entertaining adding support to eventually add rooftop patio in this neighborhood.

In order to reach rooftop we first need to make sure we can add access with stairs along the North side of the building that would rest on the right-of-way (in the sidewalk).

The sidewalk here happens to be twice as wide, leaving plenty of room for citizens to walk around stairs.

The stair system we are looking at would be counterbalanced, so it would “tip” up to a closed position when not in use. This would aid in “closing off” that section of seating at a time respectful of the neighbors, and allow us to close it during the winter for snow removal.

The following page has some very crude picture of concepts for this system, and also a picture of what similar system would look like.

Thanks-
Tyler Vogt
715.571.6943

QUAW ST
Cafe
COINS

3RD
STOP
ONE WAY
COINS · CURRENCY
COUNTRY
COIN
&
COLLECTIBLES
GOLD · SILVER · JEWELRY

Agenda Item No.
5

STAFF REPORT TO CISM COMMITTEE – March 10, 2022

AGENDA ITEM
Discussion and possible action on creating ordinance Section 12.44.070 Installation of Parklets
BACKGROUND
Parklets were approved on a temporary basis in 2021. One parklet was installed in 2021. The attached policy and proposed ordinance would make parklets part of the municipal code.
FISCAL IMPACT
Minimal, a $40 permit fee. Parklets are intended to help restaurants with outdoor seating to increase business.
STAFF RECOMMENDATION
Staff recommends approving the ordinance as presented.
Staff contact: Allen Wesolowski 715-261-6762

City of Wausau Parklet Policy

Issue Date:	Pages: 4

INTRODUCTION

The City of Wausau has created this program to permit full-service restaurants, pursuant to the terms and conditions of this Parklet Policy ("Policy") and W.M.C. §12.44.070, to apply for municipal approval through the issuance of a permit to use certain public parking spaces in the public right-of-way (streets) for flexible outdoor dining areas. A "Parklet" means a platform that is located in the parking lane of a street, is at the same level as the abutting sidewalk, and is intended to provide additional space and amenities for the adjacent full-service restaurant and its patrons. The installation of Parklets is intended to allow full-service restaurants to expand their business footprint to maximize social distancing during the COVID-19 pandemic and recovery.

All outdoor dining areas permitted under this program must comply with state and local health requirements or guidance intended to slow or prevent the transmission of COVID-19.

All permits are valid only for the period of May 1 through October 31 of the calendar year in which it is issued. All permits automatically expire on October 31, at 11:59 p.m. All Parklets shall be removed from the street immediately prior to the expiration of the permit.

APPLICATION PROCESS & APPROVAL

Applicants should be familiar with the guidelines in this Policy prior to submitting an application for a Parklet. Permissions for granting the installation of a Parklet will be conditioned on compliance with this Policy and failure to adhere to the guidelines and requirements may slow the review process and potentially result in denial of the application.

1. Permits	Approval and issuance of a Parklet permit under W.M.C. §12.44.070
	Appropriate alcohol beverage license if alcohol is to be served.
	Approval of a temporary amendment of licensed premises under W.M.C. §5.90.040 if alcohol is to be served.
	Approval of a temporary sidewalk café permit under W.M.C. §5.90.020 or a café permit under W.M.C. § 5.63.030 if City sidewalk area is to be used for seating.
2. Site Plans	Site Plans shall be submitted with the application for a Parklet permit to the Director of Public Works and Utilities. The applicant shall certify that the site plan, design and actual construction of the Parklet are/will be compliant with the provisions of the Americans with Disabilities Act.

3. Submit Application	To the Director of Public Works and Utilities along with a $40.00 application fee for processing. No fee is required for a temporary amendment of licensed premises or temporary sidewalk café permit.
4. Approval/Denial	Approval by the Director of Public Works & Utilities. Any application recommended for denial shall be submitted to the Public Health & Safety Committee which shall consider the application and make a recommendation to the Common Council.

APPLICANT & SITE ELIGIBILITY

Eligible applicants for a Parklet permit must, at a minimum:

- Be a full-service restaurant. Limited-service and take-out restaurants, and bars and taverns are not eligible.[1]
- Hold appropriate license for restaurant and alcohol service adjacent to proposed outdoor dining area.
- Complete the City's application.
- Attach a site plan to the application in accordance with "Site Plan Requirements."
- Agree to the City's terms and conditions, including insurance and indemnification and hold harmless.

Full-service restaurants may enter into partnership with other full-service restaurants to obtain a Parklet permit. Each co-applicant is jointly and separately responsible for the design, construction, maintenance, and removal of the Parklet, as well as compliance with all City ordinances and this Policy. Each full-service restaurant must hold all necessary permits and licenses and comply with all applicable laws, regulations, and ordinances. Parklets may be used by one or more businesses upon permission of the Parklet permit holder.

Certain sites/locations may not be eligible for use as outdoor street dining due to safety, public health, or transportation reasons. Additionally, because of the need to balance the availability of public parking spaces for patrons of other retail businesses with the provision of additional, flexible, outdoor dining areas, Parklets will be limited to not more than two (2) per block. Public streets or block faces without public parking spaces are not eligible for Parklets.

The following factors will be evaluated in determining eligibility:

[1] A full-service restaurant is defined in W.M.C. §12.44.070(b)(2) as a "restaurant that as of March 31, 2021, is engaged in the business of providing food and beverage services to patrons who order and are served while seated and pay after eating." Under W.M.C. §12.44.070(b)(3), a limited-service or take-out restaurant means "an establishment where food and beverages may be consumed on the premises, taken out, or delivered. This classification includes cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service restaurants, ice cream and frozen yogurt shops, and snack bars or bakeries with indoor or outdoor seating for customers."

- The proposed Parklet must be adjacent to the applicant's full-service restaurant establishment. In the case of a partnership application, the proposed Parklet must be adjacent to one of the co-applicants' full-service restaurant establishment.
- Parklets will not be considered on state trunk highways or connecting highways absent WisDOT approval (which is required to be obtained by applicant).
- Location unsafe due to traffic speed (sites adjacent to streets with speed limits above 25 mph are not eligible), poor visibility, narrow street (lack of buffer), or other safety issue related to proximity of motor vehicle traffic.
- Location required for traffic circulation reasons.
- Adverse impacts on fire lanes, hydrant access, or other emergency vehicle response.
- Adverse impacts to, or blocking of storm drains, gutters and other utilities.
- Setup requires bolting or mechanical fastening that damages the roadway or sidewalk.
- Interference with access to private property (driveways, delivery/loading zones).
- Inability to maintain a required minimum clear path of travel for sidewalk users.
- Inability to ensure adequate spacing of customers within proposed area.
- Impacts to transit service.
- Inability to provide ADA compliant access.
- Requires the removal or blocking of vehicle spaces for the physically disabled if same cannot be reasonably accommodated or re-located to another convenient and accessible location on the same block.
- Whether the use would facilitate a public or private nuisance or create undesirable neighborhood problems such as disorderly patrons, unreasonably loud noise, litter, or any other factor which reasonably relates to the public health, safety, and welfare.

SITE PLAN REQUIREMENTS

The site plan shall include the following:

- Dimensions for the length and width of the space to be occupied by Parklet. The length of the proposed area may not exceed the length of sidewalk frontage of the applicant's property/establishment or 30 feet whichever is less. Width of public parking spaces vary: the width may not exceed the maximum width of the parking space(s) to be utilized or 9 feet whichever is less.
- Show barriers/barricades around seating area and other safety conditions for patrons. Vertical elements shall be utilized to make Parklet visible to traffic. The Parklet must have a flush transition at sidewalk and curb to avoid tripping hazards and to allow easy access. Safety requirements may be different for streets with very low volumes or high volumes of traffic.
- Street names and north arrow.

- Show all existing facilities in the sidewalk area and street adjacent to the proposed area, such as light poles, fire hydrants, storm water inlets, catch basins, street signs, bicycle racks, street trees and curb ramps.
- Show the proposed layout of tables and chairs with dimensions for the size of the tables and for the distance between seating groups.
- Show any sidewalk café seating that will also be present along with spacing between sidewalk café seating groups and seating groups within proposed area. Tents and umbrellas may be allowed if they fit completely within the Parklet perimeter, weighted, and conform to all Fire Marshall rules, and approved by staff prior to use.
- Demonstrate ADA compliance and contain applicant's certification that the site plan, design and actual construction of the Parklet are/will be compliant with the provisions of the Americans with Disabilities Act.

TERMS & CONDITIONS

All costs of design, construction, maintenance and removal shall be borne by the Parklet permit holder and co-applicants where applicable.

Approved applicant(s) will be required to provide an appropriate certificate of insurance and agree to indemnify, defend, and hold harmless the municipality as requested. Insurance will be required as follows:

General liability insurance with respect to the right-of-way in an amount not less than One Million Dollars per occurrence, combined single limit. Such insurance policy(ies) shall be issued by an insurer licensed to issue policies in the State of Wisconsin and shall name the City of Wausau, its employees, agents, officers, volunteers, elected and appointed officials, or authorized representatives or volunteers as additional insureds. Proof of insurance coverage must contain the additional insured endorsement; a statement alone on the certificate is not sufficient. All insurance must be primary and non-contributory to any insurance or self-insurance carried by the City. A certificate of insurance evidencing such insurance shall be furnished to the City prior to commencing construction of the Parklet.

Parklets must comply with all City ordinances and the sidewalk café standards of W.M.C. §5.63.060(b), (d) – (p).

Parklet permits shall be granted for the time period of May 1, – October 31, and are valid only during the calendar year in which it is issued.

In the event the parking spaces utilized for a Parklet are needed to accommodate an approved Special Event, Parklet permit holder agrees to cooperate with City to remove the Parklet temporarily for the duration of the Special Event at its own expense.

Additional terms and conditions concerning design and construction of the Parklet may be required as necessary and prudent for the public health and safety of traffic, pedestrians and patrons and the unique features of the proposed Parklet area.

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

ORDINANCE OF CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE	
Creating ordinance Section 12.44.070 Installation of Parklets. Committee Action: **Ordinance Number:** Fiscal Impact:	
File Number:	**Date Introduced:**

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

Add ( )
Delete (———)

Section 1. That Section 12.44.070 Installation of parklets is hereby created to read as follows:

12.44.070 Installation of parklets. (a) Purpose and intent. The Common Council recognizes that the COVID-19 coronavirus pandemic continues to negatively impact its citizens and local businesses and the need to maximize social distancing between individuals during the COVID-19 pandemic and recovery period remains significant. It further recognizes that restaurants within the City may have particular difficulty providing prudent social distancing while still being able to operate profitably especially given the large amounts of space typically reserved within restaurant establishments for food preparation areas, the need to maintain diner waiting areas, and to permit the operation of serving stations. The Common Council seeks to support the safe operation of its local restaurants by increasing options for outdoor dining that enable them to adhere to physical distancing recommendations. In 2021, the Common Council permitted the establishment of Parklets on a temporary basis to enable it to consider the effect of Parklets on public parking and patrons of other retail businesses. The Common Council, recognizing the need to balance the availability of public parking spaces for patrons of other retail businesses with the provision of addition, flexible, outdoor dining areas, finds that allowing the expansion of restaurant service areas through the installation of Parklets into a certain, limited amount of public parking spaces during the relatively short window of mild Central Wisconsin weather in accordance with the provisions of this ordinance and the City's Parklet Policy provides benefits to the citizens of the City. The Common Council further finds that because of the need to balance these competing needs, approval of Parklets will necessarily need to be limited to not more than two (2) per block.

(b) Definitions.

(1) "Block" means the distance along a street lying between center lines of two consecutive intersections and includes both sides of the street. "Block face" means one side of the street on a block.

(2) "Full-service restaurant" means a restaurant that as of February 28, 2022, is engaged in the business of providing food and beverage services to patrons who order and are served while seated and pay after eating.

(3) "Limited-service restaurant" means an establishment where food and beverages may be consumed on the premises, taken out, or delivered. Limited service restaurants include cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service restaurants, ice cream and frozen yogurt shops, and snack bars or bakeries with indoor or outdoor seating for customers.

(4) "Parklet" means a platform that is located in the parking lane of a street, is at the same level as the abutting sidewalk, and is intended to provide additional space and amenities for the adjacent full-service restaurant and its patrons.

(5) "Restaurant" means an establishment requiring a State of Wisconsin restaurant license and whose food sales are greater than 50 percent of its gross receipts. Upon request of the City, owners of establishments shall substantiate the percentage of their gross receipts devoted to food.

(c) Permit requirements. No person shall install or maintain a Parklet in the public right-of-way without obtaining or complying with all of the following:

(1) Submission of an application on a form supplied by the city clerk that includes the information set forth in section 5.63.040(a) of this Code, together with a copy of the applicant's valid restaurant license, the fee provided in section 3.04.010(a), and a site plan meeting the requirements of the Parklet Policy .

(2) A Parklet permit issued by the city clerk, approved by the director of public works and utilities. The director of public works and utilities may approve a Parklet permit with reasonable additional conditions appropriate for purposes of public health and safety and the unique features of the proposed Parklet area. The issuance of an approved Parklet permit will stand in place, and in lieu of, a street privilege permit otherwise required under section 12.44.050. No permit will be issued without submission of the required certificate of insurance and execution of an indemnification and hold harmless to the city clerk as required in the Parklet Policy.

(3) Issuance of any applicable alcohol beverage license as required by ch.5.64, including but not limited to a permanent or temporary extension of the premises, where the service of alcohol beverages to patrons is desired by the establishment.

(4) Issuance of a sidewalk café or temporary sidewalk café permit as required by ch. 5.63 or temporary ordinance section 5.90.020.

(d) Duration of permit. A permit is valid only for the period of May 1, to October 31, of the calendar year in which it is issued. The permit automatically expires on October 31, at 11:59 p.m. each year.

(e) Appeal. Any application the director of public works and utilities deems should be denied, or any conditions imposed upon the permit deemed appropriate for purposes of public health and safety and the

unique features of the proposed Parklet area by the director of public works and utilities, may be submitted for appeal to the public health and safety committee with the director of public works and utilities' recommendations, which shall then consider the application and make a recommendation to the Common Council.

(e) Additional requirements.

(1) An approved Parklet may be installed in the public right-of-way only between May 1, and October 31, of each calendar year. Any Parklet not removed by 11:59 p.m. on October 31, of a calendar year, will be removed by the City and the reasonable cost of removal, storage or other disposal will be charged against the permit holder or each co-applicant for the permit.

(2) Parklets shall comply with all provisions of the City's Parklet Policy.

(3) Parklets shall comply with the sidewalk café standards set forth in section 5.63.060 (b), (d) – (p).

(4) No building permit shall be required for installation of a Parklet.

(5) Permits issued under this section may not be transferred to another individual, business, corporation, or other entity.

(f) Revocation. A Parklet permit may be suspended or revoked as set forth in section 5.63.100 of this Code.

(g) Application to Section 9.040.026. The provisions of subsections (a) and (b) of 9.04.026 Consumption or possession of intoxicants on streets shall not apply to the service and consumption of alcohol beverages within the area of an approved Parklet.

Section 2. All provisions of City ordinances not specifically altered by this ordinance shall remain in effect.

Section 3. This ordinance shall be in full force and effect on the day after its publication.

Adopted:
Approved:
Published:
Attest:

Approved:

Katie Rosenberg, Mayor

Attest:

Kaitlyn Bernarde, Clerk

Agenda Item No.

6

STAFF REPORT TO CISM COMMITTEE – March 10, 2022

AGENDA ITEM

Discussion and possible action on approving Governmental Responsibility Resolution for Application of an Urban Nonpoint Source (UNPS) and Stormwater Management Construction Grant

BACKGROUND

The Engineering Department is currently preparing an application submittal for a Wisconsin Department of Natural Resources (WDNR) Urban Nonpoint Source (UNPS) and Stormwater Management Construction Grant. This grant is a 50/50 match with a maximum match of $150,000. The proposed project for this grant application would be the conversion of a 0.5 acre dry detention pond to a wet retention pond. The pond conversion would greatly reduce the amount of Total Suspended Solids (TSS) and Total Phosphorus (TP) being released from the pond, which collects stormwater runoff from the surrounding urban areas. The reduction in TSS and TP would improve water quality of the Big Rib River and the Wisconsin River and will also help the city in our goal of reaching Total Maximum Daily Load (TMDL) compliance.

In April of 2019, the WDNR adopted the TMDL for TP in the Wisconsin River Basin. Under the TMDL, pollutant allocations are set at the levels necessary to meet the applicable standards for all point and nonpoint sources causing impairment. The most recent citywide stormwater quality model identified several areas with TP reduction gaps. During that study, the city identified several Best Management Practices (BMPs) that would allow us to move closer into compliance. This project would be the first physical step aimed directly at closing the TP reduction gap.

Approval of this resolution would provide the Project Engineer with required responsibilities to oversee the grant process and show council support for the grant, greatly improve chances of receiving the grant. Prior to entering any agreement with the WDNR and acceptance of the grant, the Engineering Department will present the grant to CISM and council for approval.

FISCAL IMPACT

N/A

STAFF RECOMMENDATION

Staff recommends approval of the Governmental Responsibility Resolution

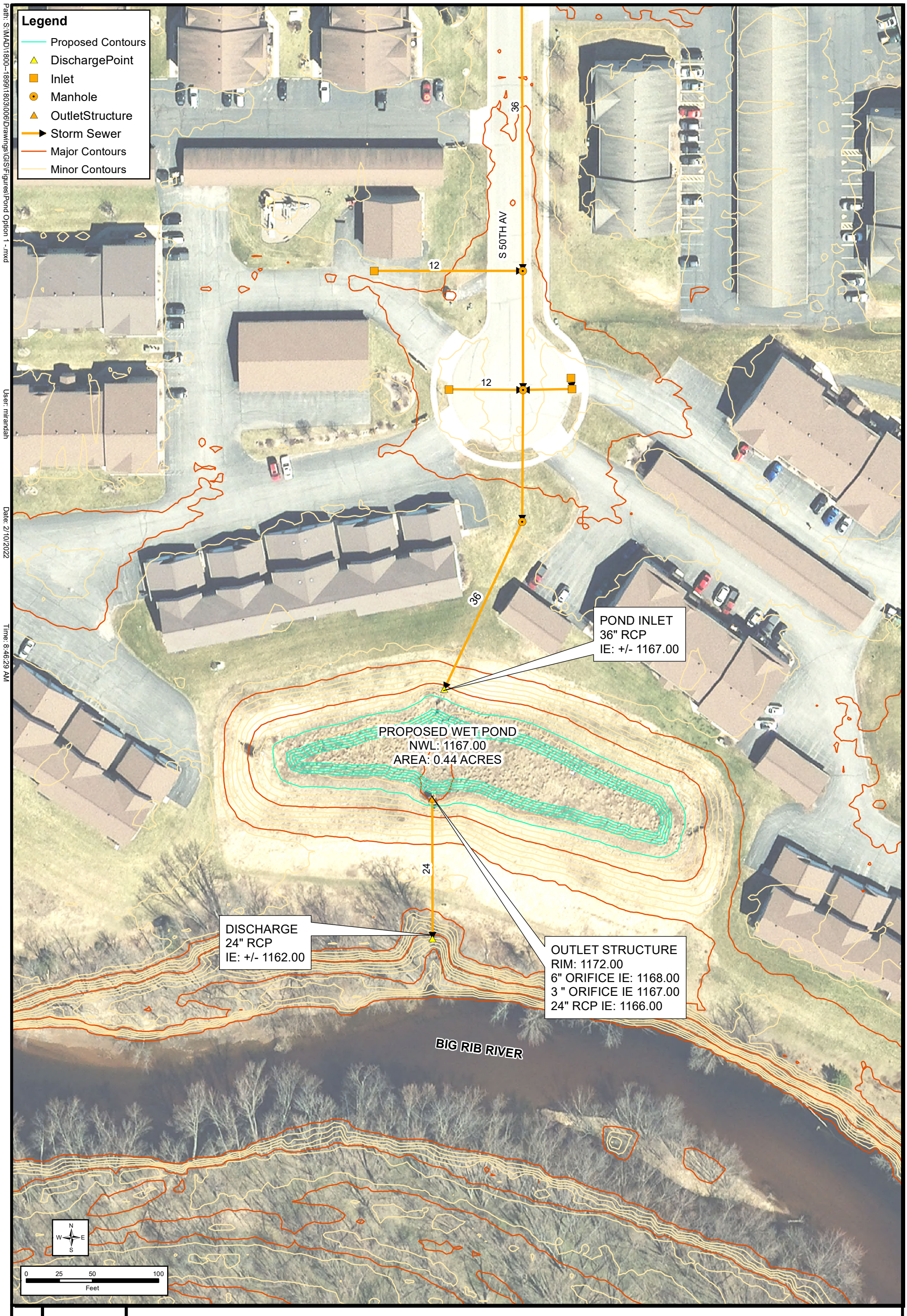
Staff contact: TJ Niksich 715-261-6748

Path: S:\MAD\1800-1899\1803\006\Drawings\GIS\Figures\Pond Option 1 -.mxd

User: mirandah

Date: 2/10/2022

Time: 8:46:29 AM



WET POND OPTION 1 - WITH SAFETY SHELF

STRAWBERRY FIELDS DRY TO WET POND CONVERSION
CITY OF WAUSAU
MARATHON COUNTY, WISCONSIN

STRAND ASSOCIATES®

ATTACHMENT B
1803.006

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

RESOLUTION OF THE CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Approving Application for an Urban Nonpoint Source (UNPS) and Stormwater Management Construction Grant

Committee Action:

Fiscal Impact: N/A

File Number:	**Date Introduced:** March 22, 2022

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

RESOLUTION

WHEREAS, the City of Wausau is interested in acquiring a Grant from the Wisconsin Department of Natural Resources for the purpose of implementing measures to control agricultural or urban storm water runoff pollution sources (as described in the application and pursuant to ss. 281.65 or 281.66, Wis. Stats., and chs. NR 151, 154 and 155); and

WHEREAS, the Capital Improvements and Street Maintenance Committee discussed the proposed application at its meeting on March 10, 2022 and recommends approval; and

WHEREAS, a cost-sharing grant is required to carry out the project:

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Wausau HEREBY AUTHORIZES the Project Engineer in the Engineering Department, to act on behalf of the City of Wausau to:

- Sign and submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;

DRAFT

- Sign a grant agreement between the local government (applicant) and the Department of Natural Resources;
- Sign and submit reimbursement claims along with necessary supporting documentation;
- Sign and submit interim and final reports and other documentation as required by the grant agreement;
- Sign and submit an Environmental Hazards Assessment Form, if required; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that the City of Wausau shall comply with all state and federal laws, regulations and permit requirements pertaining to implementation of this project and to fulfillment of the grant document provisions.

Adopted this 22nd day of March, 2022.

Adopted: 03/22/22
Approved: 03/23/22

Approved:

_____
Katie Rosenberg, Mayor

Attest:

_____
Kaitlyn A. Bernarde, Clerk

DRAFT