

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: March 11, 2021, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Lisa Rasmussen, James Wadinski; *By WebEx*: Tom Neal, Debra Ryan, Lou Larson (Larson joined at 5:20 pm)

Also Present: Eric Lindman, Allen Wesolowski, TJ Niksich, Tara Alfonso, Lori Wunsch; *By WebEx*: Brad Lenz, 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 February 11, 2021 meeting

Neal moved to approve the minutes of the February 11th meeting. Wadinski seconded and the motion carried unanimously 4-0.

Discussion and possible action on lease with Lamar Advertising for billboard signs at Bridge Street and 3rd Street

Rasmussen was here when this lease was extended for five years. In 2015 the staff recommendation was to not renew the lease based on planning and zoning concerns. There was some consternation with businesses owners who were advertising on the billboards. At that time there was no firm development plans for the area and the lease was extended for five years. Since then projects are happening in the area.

Lenz stated information in the packet summarized the history. The issue is if we want to sign a new lease for the billboards as the previous lease has expired. Staff feels it is short sighted to enter into a new lease for the small amount of money we would be getting. Taking a longer term view, we could more than offset the payment if the area is redeveloped. There is some concern the billboards may be slowing down or inhibiting redevelopment potential. Last time we waited to see what the development would be before deciding not to renew the lease. It seems this approach may not be working because it is hard for a developer to know the billboards are potentially removable and what that timeline is.

At this time, Larson entered the meeting.

The signs may not be appropriate for this area, which is a small scale residential and commercial area. One billboard is next to a house and would not be allowed by today's standards. Regarding the impact to businesses, Lenz would agree if they were advertising all local businesses or nonprofit. We cannot control the content of the signs. It could display images that we do not necessarily want in that location as it is visible from a grade school. There are other billboards in the city, with some owned by the same company. This gives other options in the city to advertise. It seems we should do what is in the long term interest of the city. We honored the agreement we had in the past, but Lenz feels it is time to move on. Rasmussen added that all parties were aware of the five-year window as it was an extension that was somewhat unexpected.

Dave Curtin, real estate manager for Lamar Advertising, said the facts in the packet remain the same as 2015 when the lease was renewed. The sign has been there for 25 years. New billboards are not allowed under the current ordinance. The packet says the billboards are not built on a human scale; billboards in general are made to be seen by vehicles. The packet touched on downward lighting. The lights on this sign are upward but there is the ability to change them to downward facing LED. Lamar is in the process of going to LED's nationwide. They could have downward facing LED lights on the sign in 30 days. As far as future development of the area, he is not aware of any in the works. The lease has a 60 day out for the city. If the property is developed or sold, the city can get out of the lease within 60 days.

If the 60 day provision is exercised, Rasmussen asked how long it would take to remove the signs. Curtin said they agreed on 60 days as it is a reasonable timeframe for them to remove the signs. In 2015 the lease was approved with collection of \$8,000 revenue for the city. Lamar is now offering \$9,000, which is \$45,000 over 5 years. The past 20 years Lamar has paid \$100,000 for these signs. This is a money maker for a smaller piece of land and they are looking to increase the payment to the city. He provided a list of local businesses that currently use the signs to advertise or have in the past. Local businesses have been hit hard with COVID and he thinks the signs are valuable to their customers and local businesses. He provided a picture of a billboard the city is using with Lamar and he thanked the city for using them. This shows someone sees the value in using billboards for advertising.

Ryan noted there are two signs, one facing east-west and one facing north-south. She questioned if this was regarding both signs. Curtin confirmed it is regarding both. She asked if the lease offered \$9,000 per billboard. Curtin stated it is \$9,000 annually for both billboards. Ryan can see a lot of that block being prime for redevelopment. She feels it is right for development but also feels having the 60 day notice could meet the needs of developers.

Wadinski asked if there are terms for the 60 days' notice or if it can be for any reason. Curtin said there are two main reasons; the city sells the lot or they develop it. Wadinski questioned if anyone is looking at the site for development. Lenz explained the whole area has been looked at for redevelopment. There was a housing developer proposing multi-family units, there has been ownership changes in the area, and the bakery is for sale. The last time the thought was to keep getting revenue while we try to redevelop it, but there is also a thought the signs are hindering development. A developer sees the billboards and immediately thinks that area is out of the picture. If the signs were not there, it is one obstacle out of the way. A development would more than offset what the city is getting for the billboards. The two signs are two sided, so the city is not getting much out of it.

Rasmussen asked how much income Lamar receives from the signs. Curtin indicated they receive \$27,000 per year.

Neal thinks the time has come to say goodbye to the signs and that Lenz's comments bear heeding. We could always tell an interested developer the signs can be removed, but what about a developer that does not show interest because of the signs. We can remove that obstacle. Larson echoed Neal's comments and feels it is time to move forward.

Larson moved to enter into a lease with Lamar to continue to allow the two signs to exist. Seconded by Wadinski.

Wadinski feels developers know anything is possible and would just ask about the signs. He is all for development and redevelopment. He will vote to approve because developers are smart enough to ask the right questions. This will also allow the city to get income.

There being a motion and a second, motion to enter into a lease with Lamar to continue to allow the two signs to exist failed 2-3 with Neal, Larson and Rasmussen the dissenting votes.

Discussion and possible action on Sanitary Sewer Easement with Emmerich & Associates at 2105 Grand Avenue

Rasmussen noted the former Ponderosa site is finally being developed and an easement is needed for sanitary sewer.

Wadinski moved to approve the Sanitary Sewer Easement with Emmerich & Associates at 2105 Grand Avenue. Seconded by Neal and the motion carried unanimously 5-0.

Discussion and possible action on a preliminary resolution for the installation of sidewalk on the east side of 12th Avenue from Randolph Street to Merrill Avenue

Rasmussen noted this is regarding the block that runs alongside the Urban West apartment complex. A petition was received from residents in the area who want to complete the loop of sidewalk around the block. The majority of residents from the Village Cooperative walk. Urban West has added more traffic and people to the area, and a second building is planned for the future. Residents are looking for quality pedestrian accommodations.

Neal moved to approve the preliminary resolution for the installation of sidewalk on the east side of 12th Avenue from Randolph Street to Merrill Avenue. Seconded by Larson.

Wesolowski noted that in the past there have been discussions when sidewalk was installed on only one side of a street. For new sidewalk, the city pays 50% with abutting property owners paying the other half. There has been discussions in the past where sidewalk was installed on one side and both sides pay for 25%. However, it is hard to get people to understand the benefit of that. On 24th Avenue, the most recent project where sidewalk was installed on one side, the abutting property owners paid 50%. Wesolowski recommends assessing 50% to the east side of 12th Avenue.

Rasmussen has spoken with residents in the area who would appreciate the east side property owner paying for 50%. Much of the traffic that has increased in the area is the result of filling the buildings. When the property was acquired from the city, there was a meeting between the residents at Village Cooperative and representative from Swiderski. It was clear that the residents wanted sidewalk. She feels Swiderski has been aware from the early planning stages that there was going to be a need to close the loop of sidewalk.

Neal asked if property owners from the west side signed the petition. Rasmussen said almost all of the petitioners have the address of 1508 Merrill Avenue, which is the Village Cooperative.

When public hearing notices are sent, staff was directed to include notice that 50% would be charged to property owners on the east side of the street.

There being a motion and a second, motion to approve the preliminary resolution for the installation of sidewalk on the east side of 12th Avenue from Randolph Street to Merrill Avenue carried unanimously 5-0.

Discussion and possible action on acquiring a portion of 1608 Merrill Avenue for proposed installation of sidewalk on 12th Avenue

Rasmussen explained to make the appropriate ramps we might need to get a little piece of the corner of 1608 Merrill Avenue. Wesolowski added that Swiderski owns the property. Staff is looking for the committee to give authority to go through the appraisal process and statutory requirements to purchase the property. The existing right-of-way would not fit an ADA ramp.

Neal said it would be alright to start the process of a possible acquisition but would like to make sure there will be a sidewalk. Rasmussen said the purchase can be approved and have staff hold off on closing until we know the sidewalk is coming.

Wadinski moved to approve the purchase of a portion of 1608 Merrill Avenue, once we know the sidewalk will be installed. Seconded by Neal and the motion carried unanimously 5-0.

Discussion of utility line installation and options for municipal direction of overhead vs underground installation methods

TDS has been installing fiber optic all over town and last year calls were fielded about repairs to yards, digging, etc. Former Alder Dave Oberbeck was the recipient of guy wires installed beyond the right-of-way into his yard, which is not aesthetically pleasing. We try to bury lines underground when we can as it is safer from storm and

vehicular damage and aesthetically better. Rasmussen wanted staff to talk about what level of control we have over things and if there is a better way.

Wesolowski said TDS will be in town again this summer. They plan on being done with the project by winter this year. When digging in the right-of-way, a contractor or utility has to get an excavation permit, which alerts us to where they will be in the right-of-way. We do not have control to tell utilities to go overhead or underground. WPS makes their determination based upon what they feel can serve their customers the best. If they go underground, such as was done along Thomas Street, the city would have to pay for it.

Rasmussen noted when road projects are done, the area is evaluated. We look at proper lighting, mature trees, size of the right-of-way, and make modifications. It would make sense for us to look at the possibility of undergrounding utilities. Overhead lines require tree cutting and are subject to storm and vehicle damage. She knows it would ramp up the cost but there are all kinds of things that ramp up costs.

Lindman stated we can work with utilities to bury lines but we cannot mandate that they do. Their user rate is determined by the PSC. A lot of burying would be additional cost and they would have to do a rate case, just as the water utility. They would have to justify to the PSC why they are doing it. But there is nothing saying we cannot at least talk to them. Rasmussen said we only rebuild a few roads each year. If WPS charges the cost back to us, it is not necessarily affecting their individual users. We should look at this where it is cost prohibitive; where there are topographical challenges it would be different.

Dave Oberbeck, 110 South 36th Avenue, said you can drive around and see more guy wires going into people's property. He found new guy wires in his front yard, 12'6" into the property. When on private property, WPS has to negotiate an easement. WPS has been increasing the height of their poles to accommodate TDS. TDS is a for-profit business that sells services and should adjust their rates to accommodate. They are burying lines in some neighborhoods and not others. This is about cost but it is also about value of property. He spoke with WPS and they will be removing the lines from his property. He is all for improving infrastructure but there are new methods with composite poles that do not require guy wires. They can pay for that but are choosing not to. TDS has the opportunity to go underground but has chosen to link into poles. He feels they should plan appropriately and not destroy neighborhoods. The city is aware they are replacing poles, but are they aware they are taking a line out 24' from the pole. He questioned if they were being upfront when getting permits.

Rasmussen feels we need to be mindful and possibly put conditions on the permit. A lengthy discussion followed on undergrounding utilities and WPS's procedures. Staff will speak further with WPS and possibly require more information for excavation permits. It was also suggested to include information in the city newsletter and ask WPS to do a better job of watching their subs.

Future Agenda Items

Ryan noted a neighbor will be circulating a petition to vacate a portion of the alley bounded by 7th Avenue, 8th Avenue, Elm Street and Callon Street. Once the petition is received, this item will be placed on the agenda to begin the public hearing process.

Adjourn

Wadinski moved to adjourn the meeting. Larson seconded and the motion carried unanimously 5-0. Meeting adjourned at approximately 6:25 p.m.