



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, August 11, 2022 at 5:15 p.m.
Location:	City Hall (407 Grant Street, Wausau WI 54403) - COUNCIL CHAMBERS
Members:	Lou Larson (C), Doug Diny, Gary Gisselman, Chad Henke, Lisa Rasmussen

AGENDA ITEMS FOR CONSIDERATION

1. CONSENT AGENDA (Any item can be removed from the Consent Agenda at the request of a Committee member.)
 - A. Approval of minutes of the July 14, 2022 meeting.
 - B. Action on final resolution to levy special assessments for 2022 Street Construction Projects.
 - C. Action on final resolution to levy special assessments for 2022 Alley Paving Projects.
 - D. Action on easement with WPS at 500 Washington Street and 555 Jefferson Street.
2. Discussion and possible action on easement with WPS at 1402 Burek Avenue.
3. Discussion and possible action on Alexander Davis Final Plat.
4. Discussion and possible action on vacating and discontinuing a portion of South 12th Street between Single Avenue and Sumner Street just adjacent to 1117 Single Avenue.
5. Discussion and possible action to consider site selection for a new Fleet Maintenance Facility.
6. Construction update for 2022 projects.

Adjournment

LOU LARSON - Committee Chair

Members of the public who do not wish to appear in person may view the meeting live over the internet, 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, if agendaized, 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 08/04/22 @ 2:00 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.

CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

Date of Meeting: July 14, 2022, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Lou Larson, Doug Diny, Gary Gisselman, Chad Henke, Lisa Rasmussen

Also Present: Mayor Katie Rosenberg, Eric Lindman, Allen Wesolowski, TJ Niksich, Cord Buckner, Dustin Kraege, Lori Wunsch

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 Larson called the meeting to order.

CONSENT AGENDA

A. Approve minutes of the June 9, 2022 meeting

B. Action on Stormwater Maintenance Agreement with Badger Liquor Co. Inc. at 9913 Innovation Way

Gisselman moved to approve the consent agenda items. Diny seconded and the motion carried unanimously 5-0.

Discussion and possible action on State/Municipal Agreement regarding East Wausau Avenue from North 6th Street to North 18th Street

Rasmussen moved to approve. Seconded by Gisselman.

Larson asked when this project would be completed. Wesolowski said it is on the State's 7-year program. Typically, it takes a minimum of 3 years by the time a consultant is selected and design completed. Larson said the street needs it. Wesolowski feels this is good news as staff has been requesting this for a while and the State finally agreed. This is the street Wesolowski gets the most complaints about.

Larson questioned the \$58,500 for design costs and thought this was taken care of by the State. Wesolowski explained all construction costs are covered by the State, other than sewer and water. Typically, the City is responsible for 25% of engineering costs for connecting highways. Larson asked if sewer and water costs would come back at a future date for funding. Wesolowski responded that sewer and water costs would be included in a future budget.

Diny asked if sewer and water replacement is a given or if the road work could be done without it. Per Lindman, when we know the year construction will take place, sewer and water will be budgeted for within the utility. The utilities do need to be replaced.

Gisselman has been hearing complaints about this road and feels the district will be glad to hear it is on the horizon. He questioned why it stops at 6th Street. Wesolowski indicated that 5th Street is newer concrete pavement and in good shape. Gisselman has also received complaints about the island in front of Athletic Park.

There being a motion and a second, motion to approved carried unanimously 5-0.

Discussion and possible action on extension of Kickbusch Street to Washington Street and entering into a development agreement with Wausau School District

Wesolowski has had meetings with the school district. They are willing to build this road and have asked if the City would be willing to enter into a development agreement where the City would take the road over once they build it.

Larry Cihlar, Wausau School District, explained this has been in referendum planning for 3 years. This would address the dead-end situation at Hawthorne Hills School. There is congestion particularly at drop off and pick up times. So much so that there is a concern of getting emergency vehicles in if needed. It is difficult for parents

and people do not make the best driving decisions when it gets congested. The street would be designed and built to City specifications. Once built, the school district does not have a purpose or desire to own a city street. They would look to turn the street over to the City.

Given our affinity for smooth traffic flow, Rasmussen believes the extension makes sense. With road construction costs, it makes sense to partner with the district, especially since they have funds available to complete the extension. As long as it is built to our specs and they address design and storm water issues, this is a good partnership to have. School safety is close to her heart and being able to move emergency vehicles in and out of an area quickly is critical.

Rasmussen moved to approve the plan and direct staff to work with the school district to negotiate an agreement. Seconded by Diny.

Diny asked if this was 100% school property. Cihlar confirmed. Wesolowski noted that it is on school district property with the exception of where it hooks up to existing 14th Street right-of-way. Diny asked if there is a need to look at how traffic will flow on Washington Street and what will change in traffic flow for pickup and drop off. Cihlar stated the biggest advantage is it will not be one way in and one way out. There would be a bus drop off and cars would circle into the parking lot, drop the student off, and exit. They have engaged the Police Department and the city about the best flow.

Wesolowski has looked at traffic impacts. Washington Street was reconstructed with the exception of one block west of 14th Street. This block is in rough shape and does not have curb and gutter. That block would have to be overlaid at a minimum or reconstructed. He anticipates Washington Street traffic between 10th Street and 14th Street would increase.

Gisselman asked if any thought was put into bike or pedestrian accommodations. He feels it would be a good way for some students to get into the area. Cihlar anticipates sidewalk would run along one side of the street. Gisselman feels it would be a good loop for a future bicycle route. Cihlar said that was not thought about. He does not know what implications that would mean for the road and what it would connect to on either end. He will work with the city and discuss what that would mean from a planning perspective.

Rasmussen indicated there has been past discussions about installing sidewalk at a width that can accommodate bicycles and pedestrians off street rather than having a separate bike path. Gisselman would like some separation or delineation between the two.

Wesolowski said a future design can be brought back. At this point, staff wanted to make sure the committee is aware of this proposal and supported it. Cihlar anticipates beginning clearing and testing this fall as well as getting as much excavation done as they can this fall. Construction of the street would be next summer with the hope to wrap it up before the next school year.

Henke asked about the right-of-way to the west. Wesolowski explained it is existing right-of-way from an old plat. The school district will be submitting a new plat. Cihlar said they have briefly talked about that right-of-way. It does not affect what they are proposing but it would be a good time to clean it up.

There being a motion and a second, motion to approve the proposed plan and direct staff to work with the school district on a development agreement carried unanimously 5-0.

Cihlar asked about the future timeline for approvals as they need to dovetail with school board approvals. Wesolowski believes the next step would be a plat or CSM that dedicates the right-of-way. The development agreement would be handled by staff. It would be relatively simple since money does not exchange hands.

Discussion and possible action on roadway width of Bugbee Avenue

Niksich stated that the Wausau Municipal Code sets a minimum roadway width of 32'. Once we got into design and closer to construction of Bugbee, staff met with some residents who were concerned with having driveways

reduced. Residents east of McCarthy Boulevard would have lost 8' to 10' of driveway. Staff shifted the road to the north to maintain driveways. Just east of Tierney the road would narrow to 24'. This was discussed with all affected residents, and all are in agreement.

Rasmussen thanked Niksich and Wesolowski for being willing to work with the neighbors. Some were losing substantial sections of driveway and a substantial piece of their front yard. Bugbee will shift into land the City already owns while minimizing impacts to the homeowners. The piece that is being narrowed is a dead end that only serves one driveway on each side. She is grateful staff worked with the residents.

Gisselman asked if any trees would be affected. Rasmussen said there will be less trees lost this way. One particular tree on the south side still has to go.

Henke moved to approve. Rasmussen seconded and the motion carried unanimously 5-0.

Discussion and update on DPW Fleet Maintenance Shop site

Lindman said the direction from CISM was to look at the West Street site the County owns. Conversations were held with the County, who is going through a West Side Master Plan. They are contemplating using their West Street property for expansion of the park by putting an ice arena and sport complex in that area. This would still leave the Wausau Manufacturing site and possibly a piece of what the County owns. It did not sound like there was an overwhelmingly want to have DPW on that property. Staff will look specifically at the Wausau Manufacturing property, which is 6 acres, to see if it would suffice. Staff is looking at doing costs estimates on various sites, which will be brought back.

Larson said County plans could change in time. Lindman indicated when the West Side Master Plan comes out it will give further direction. Diny asked if the County could potentially be interested in the Wausau Manufacturing site for an ice rink. Lindman said the County discussed they would like to move the ice arena and possibly put a sports complex to the south. He does not know how that would lay out. It is just one of the options with the Master Plan. Once the Master Plan comes out, we will have a better idea. He hopes to see a draft within the next couple of months.

Rasmussen said there is not a lot of urgency for the County; there is more of an urgency on our part. We could reasonably predict that it is not going to be their goal to acquire land. She feels it would be better for us to look at the option of Wausau Manufacturing than to expect the County to look at Wausau Manufacturing as an option. Larson agrees and stated the County has the whole field behind the stage to use as well.

Larson noted that it looks like someone is building on Westwood Drive. Rasmussen heard that the private sector is building a rehab center. The whole area was intended to be a medical campus. We have not been asked to participate or contribute so we know less about the project. We briefly looked at the Business Campus even though there was a concern with the commute. She noted that with City growth, what seems like the outskirts today may not be 20 years from now. She would like to take a second look at the Business Campus and see if there are any odd shaped parcels not suitable for development or not marketable for manufacturing use. Lindman stated staff can look. The majority of the fleet (PD, Fire, DPW) is in the center of the city and he does not think that will change. Rasmussen is trying to mitigate land acquisition costs. Lindman agreed that anything we already own would reduce the cost.

Construction update for 2022 Projects

Niksich stated Project A consists of the reconstruction of Bugbee and watermain replacement on Burek and Campus. The project is moving forward and is on schedule. Watermain was completed on Campus and they are moving south on Burek. Bugbee reconstruction will start after watermain work is done. Bugbee is expected to begin middle to late August. Project B is 4th Avenue. Work is being done within the intersection of Bridge Street and 4th Avenue. They will finish the south lanes and then flip traffic to the south side. The project is moving forward and is on schedule. Project C consists of the reconstruction of Torney Avenue between Townline Road and McDonald Street. This project is currently out to bid with bids opening on Tuesday. The Business Campus

Trail Project is also out to bid with the bid opening Tuesday. Construction may start the end of this year. Possible material shortages with the late bidding process may push the project back a bit. Alley paving is taking place between 9th and 10th Avenues off Cedar Street. DPW is adding storm sewer this week. Haas will begin work on the alley next week. 4th Street will begin the end of August or early September.

Wesolowski stated work at the intersection of Grand and Kent is complete, with only striping remaining. Sewer manholes have been reconstructed on 6th Street from Jackson Street to Scott Street. They have poured concrete and are giving that time to cure before placing asphalt on the milled section. They anticipate wrapping up the end of next week. The Concrete Pavement Repair Project will begin mid to late August. The Sidewalk Repair Project is ongoing and should be completed mid-August.

Adjourn

Henke moved to adjourn the meeting. Diny seconded and the motion carried unanimously 5-0. Meeting adjourned at approximately 5:50 p.m.

Agenda Item No.

1B

STAFF REPORT TO CISM COMMITTEE – August 11, 2022

AGENDA ITEM

Action on final resolution to levy special assessments for 2022 Street Construction Projects

BACKGROUND

In the fall of each year, the Common Council adopts resolutions to levy special assessments for street construction projects. Special assessments for 2022 street construction projects to be levied this year include Bugbee Avenue from Burek Avenue to Tierney Road, 4th Street from McClellan Street to Scott Street, and 4th Avenue from Bridge Street to Knox Street.

FISCAL IMPACT

Estimated special assessments of \$275,000.

STAFF RECOMMENDATION

Staff recommends forwarding the resolution to the Common Council to levy the special assessments.

Staff contact: Allen Wesolowski 715-261-6762

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

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

Levying Special Assessments for the 2022 Street Construction Projects

Committee Action:

Fiscal Impact: Estimated construction cost \$3,068,142; estimated special assessments \$275,000

File Number: 21-1211

Date Introduced: September 13, 2022

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: \$3,068,142</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: \$3,068,142 Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>TID Source: Increment Revenue ☐ Debt ☐ Funds on Hand ☐ Interfund Loan ☐</i>		

RESOLUTION

WHEREAS, on December 14, 2021, a preliminary resolution was adopted for the proposed public street construction project which included the removal and replacement of bituminous concrete and/or Portland cement concrete pavement, curb and gutter, drive approaches, installation and/or replacement of sidewalk and sanitary sewer, water and storm sewer laterals where necessary, on the following streets during 2022:

Bugbee Avenue from Burek Avenue to Tierney Road
4th Street from McClellan Street to Scott Street
4th Avenue from Bridge Street to Knox Street

WHEREAS, the Engineer's report was filed in the office of the City Clerk; a public hearing was held January 5, 2022 for the project; and the Board of Public Works reported upon the hearing to the Capital Improvements and Street Maintenance Committee regarding the comments of those who appeared at said hearing and

WHEREAS, the Capital Improvements and Street Maintenance Committee did recommend to the Common Council that the projects be constructed during 2022, and the Common Council accepted the Committee's report at its meeting of January 25, 2022 and ordered that the projects be advertised for bid; and

WHEREAS, bids were received by the Board of Public Works and the low bidder was awarded the street construction projects and

WHEREAS, the street construction project special assessments for each property affected are attached hereto and made a part hereof;

NOW THEREFORE, BE IT RESOLVED,

1. That payment for said public improvements shall be made through an assessment against the real estate property described above.
2. That the assessments be and are hereby levied in the amount set forth above.
3. That such levy is made by the exercise of the City's police powers.
4. That the assessments are hereby determined to be fair and equitable, allocated amongst the property on a reasonable basis, and are in the public interest.
5. That any interested property owner may contest all or any part of such assessment in the manner provided in Section 3.24.020 of the Wausau Municipal Code.
6. That the special assessments shall be paid as follows:

Assessments under \$300: If payment is not made prior to November 1, 2022, the special assessment will be placed on the 2022 real estate tax bill and be due in full on or before January 31, 2023. There is no interest charged when paid in full. Assessments totaling less than \$300 must be paid in full and do not qualify for a payment schedule.

Assessments totaling \$300 but less than \$20,000: If full payment is not made prior to November 1, 2022, assessments totaling \$300 but less than \$20,000 will automatically be placed on the five-year payment schedule on the 2022 real estate tax bill. Property owners may then pay their special assessment under either of two options:

- A. Payment in full without interest with the 2022 real estate taxes **OR**
- B. Payment of the first one-fifth of the assessment with the 2022 real estate taxes without interest. The remaining balance is paid in equal installments on the next four real estate tax bills and carries an interest charge of the borrowed fund rate plus 1% (the 2021 rate was 1.99%) beginning February 1, 2023, on the unpaid balance. The remaining balance may be paid at any time with interest calculated through the month of payment.

Assessments over \$20,000: If payment is not made prior to November 1, 2022, assessments totaling \$20,000 or more will automatically be placed on the ten-year payment schedule on the 2022 real estate tax bill. Property owners may then pay their special assessment under either of two options:

- A. Payment in full without interest with the 2022 real estate taxes **OR**
- B. Payment of the first one-tenth of the assessment with the 2022 real estate taxes without interest. The remaining balance is paid in equal installments on the next nine real estate tax bills and carries an interest charge of the borrowed fund rate plus 1% (the 2021 rate was 1.99%) beginning February 1, 2023, on the unpaid balance. The remaining balance may be paid at any time with interest calculated through the month of payment.

Real estate taxes may be paid in full or in three installments (January 31, April 30, July 31). Regardless of how real estate taxes are paid, special assessments must be paid on or before January 31, 2023. No payments can be applied to real estate taxes if special assessments are not paid. Section 74.12(11)(a), Wisconsin Statutes, specifically states that if a treasurer receives a payment from a taxpayer which is not sufficient to pay all general property taxes, special assessments and special taxes due, the treasurer shall apply the payment to the amounts due, including interest and penalties, in the following order: (1) personal property taxes; (2) delinquent utility charges; (3) special charges; (4) special assessments; (5) special taxes; (6) general property taxes.

BE IT FURTHER RESOLVED that this final assessment resolution shall be published as a Class I notice in the official City newspaper; and

BE IT FURTHER RESOLVED, the Clerk shall cause to be mailed a copy of this resolution and a statement of the final assessment against the property to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Approved:

Katie Rosenberg, Mayor

2022 STREET CONSTRUCTION PROJECTS

This list will be updated as soon as drive approaches and sidewalk are installed and measured. All assessments are to be levied in 2022.

Address	Name	Key No.	Assessable Footage	Street Assmt	Dr Appr Footage	Assmt @ ____/sf	Sidewalk Footage	Assmt @ \$ ____/lf	Sewer Lateral	Total
BUGBEE AVE - BUREK AVE TO EAST TERMINI				@ \$42.00		@ \$0.00/sf				
1634 Becher Dr	Buska	2907-242-0040	0.00	0.00		0.00		0.00		0.00
1635 Becher Dr	Hendrick	2907-242-0882	0.00	0.00		0.00		0.00		0.00
514 Bugbee Ave	Anklam	2907-242-0892	70.00	2,940.00		0.00		0.00		2,940.00
604 Bugbee Ave	City of Wausau	2907-242-0887	0.00	0.00		0.00		0.00		0.00
615 Bugbee Ave	Linden	2907-242-0088	0.00	0.00		0.00		0.00		0.00
705 Bugbee Ave	Albers	2907-242-0880	0.00	0.00		0.00		0.00		0.00
711 Bugbee Ave	Schmirler	2907-242-0053	84.00	3,528.00		0.00		0.00		3,528.00
800 Bugbee Ave	City of Wausau	2907-242-0985	0.00	0.00		0.00		0.00		0.00
1010 Bugbee Ave	City of Wausau	2907-242-0148	0.00	0.00		0.00		0.00		0.00
1005 Bugbee Ave	Doescher	2907-242-0911	70.00	2,940.00		0.00		0.00		2,940.00
1011 Bugbee Ave	Burish	2907-242-0094	125.00	5,250.00		0.00		0.00		5,250.00
1107 Bugbee Ave	Lotz	2907-242-0999	0.00	0.00		0.00		0.00		0.00
1108 Bugbee Ave	Hoppa	2907-242-0018	70.00	2,940.00		0.00		0.00		2,940.00
1641 Burek Ave	Stoelting	2907-242-0905	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1707 Burek Ave	Paul	2907-242-0883	0.00	0.00		0.00		0.00		0.00
1635 Marten St	Sloan	2907-242-0039	0.00	0.00		0.00		0.00		0.00
1636 Marten St	Fox	2907-242-0054	94.00	3,948.00		0.00		0.00		3,948.00
1630 McCarthy Blvd	Weise	2907-242-0913	0.00	0.00		0.00		0.00		0.00
1637 McCarthy Blvd	Wolfe	2907-242-0994	0.00	0.00		0.00		0.00		0.00
1638 Pearson St	Zahradka / Aspeslet	2907-242-0082	0.00	0.00		0.00		0.00		0.00
1639 Pearson St	Lewandowski	2907-242-0085	0.00	0.00		0.00		0.00		0.00
1704 Tierney Rd	City of Wausau	2907-242-0017	0.00	0.00		0.00		0.00		0.00
4TH ST - MCCLELLAN ST TO SCOTT ST				@ \$42.00		@ \$0.00/sf		@ \$0.00/sf		
521 North 4th St	Commonwealth Telephone	2907-253-0287	20.00	840.00		0.00		0.00		840.00
309 McClellan St	Jim N E Cricket LLC	2907-253-0279	121.00	5,082.00		0.00		0.00		5,082.00
316-324 Scott St	Shepherd Properties	2907-253-0508	0.00	0.00		0.00		0.00		0.00
400-410 Scott St	American Community Bank	2907-253-0283	20.00	840.00		0.00		0.00		840.00
4TH AVE - BRIDGE ST TO KNOX ST				@ \$42.00		@ \$0.00/sf		@ \$0.00/sf		
602 N 4th Ave	City of Wausau	2907-262-0001	0.00	0.00		0.00		0.00		0.00
605 N 4th Ave	Gurholt	2907-261-0267	51.00	2,142.00		0.00		0.00		2,142.00
606 N 4th Ave	Zajichek	2907-262-0002	51.00	2,142.00		0.00		0.00		2,142.00
609 N 4th Ave	Marciniak	2907-261-0102	51.00	2,142.00		0.00		0.00		2,142.00
610 N 4th Ave	Barnum	2907-262-0003	51.00	2,142.00		0.00		0.00		2,142.00
611 N 4th Ave	Schuster	2907-261-0101	51.00	2,142.00		0.00		0.00		2,142.00

Address	Name	Key No.	Assessable Footage	Street Assmt	Dr Appr Footage	Assmt @ ____/sf	Sidewalk Footage	Assmt @ \$ ____/lf	Sewer Lateral	Total
612 N 4th Ave	Wausau Rental Properties	2907-262-0004	51.00	2,142.00		0.00		0.00		2,142.00
615 N 4th Ave	Thao / Xiong	2907-261-0100	51.00	2,142.00		0.00		0.00		2,142.00
618 N 4th Ave	Radant	2907-262-0005	51.00	2,142.00		0.00		0.00		2,142.00
619 N 4th Ave	Rivie LLC	2907-261-0099	51.00	2,142.00		0.00		0.00		2,142.00
622 N 4th Ave	Hillery	2907-262-0006	51.00	2,142.00		0.00		0.00		2,142.00
623 N 4th Ave	Rivie LLC	2907-261-0098	51.00	2,142.00		0.00		0.00		2,142.00
624 N 4th Ave	Putrus	2907-262-0007	51.00	2,142.00		0.00		0.00		2,142.00
702 N 4th Ave	Reynoso / Velazquez	2907-262-0008	51.00	2,142.00		0.00		0.00		2,142.00
703 N 4th Ave	Buchberger	2907-261-0096	0.00	0.00		0.00		0.00		0.00
705 N 4th Ave	Clark	2907-261-0095	51.00	2,142.00		0.00		0.00		2,142.00
708 N 4th Ave	Schreiner	2907-262-0009	51.00	2,142.00		0.00		0.00		2,142.00
709 N 4th Ave	Lewis	2907-261-0094	51.00	2,142.00		0.00		0.00		2,142.00
711 N 4th Ave	Madden	2907-261-0093	51.00	2,142.00		0.00		0.00		2,142.00
712 N 4th Ave	Krugler / Wilkom	2907-262-0010	51.00	2,142.00		0.00		0.00		2,142.00
714 N 4th Ave	Hunsicker	2907-262-0011	51.00	2,142.00		0.00		0.00		2,142.00
717 N 4th Ave	Beidle	2907-261-0092	51.00	2,142.00		0.00		0.00		2,142.00
718 N 4th Ave	Balz	2907-262-0012	51.00	2,142.00		0.00		0.00		2,142.00
719 N 4th Ave	Hahn	2907-261-0091	51.00	2,142.00		0.00		0.00		2,142.00
720 N 4th Ave	Ott	2907-262-0013	51.00	2,142.00		0.00		0.00		2,142.00
802 N 4th Ave	Kirschbaum	2907-262-0015	54.00	2,268.00		0.00		0.00		2,268.00
805 N 4th Ave	Horak	2907-261-0088	54.00	2,268.00		0.00		0.00		2,268.00
808 N 4th Ave	Pelch	2907-262-0016	54.00	2,268.00		0.00		0.00		2,268.00
809 N 4th Ave	Powers	2907-261-0087	54.00	2,268.00		0.00		0.00		2,268.00
810 N 4th Ave	Elliott	2907-262-0017	54.00	2,268.00		0.00		0.00		2,268.00
811 N 4th Ave	Berry / Kleczewski	2907-261-0086	54.00	2,268.00		0.00		0.00		2,268.00
814 N 4th Ave	Krenz	2907-262-0018	54.00	2,268.00		0.00		0.00		2,268.00
817 N 4th Ave	Krause	2907-261-0085	54.00	2,268.00		0.00		0.00		2,268.00
818 N 4th Ave	Tesmer	2907-262-0019	54.00	2,268.00		0.00		0.00		2,268.00
819-821 N 4th Ave	Pemble	2907-261-0084	54.00	2,268.00		0.00		0.00		2,268.00
822 N 4th Ave	Wadinski	2907-262-0020	54.00	2,268.00		0.00		0.00		2,268.00
823 N 4th Ave	823 N 4th Ave LLC	2907-261-0083	54.00	2,268.00		0.00		0.00		2,268.00
826 N 4th Ave	Del Conte	2907-262-0021	54.00	2,268.00		0.00		0.00		2,268.00
830 N 4th Ave	Serrurier	2907-262-0022	54.00	2,268.00		0.00		0.00		2,268.00
902 N 4th Ave	Ironwood Investments	2907-233-0759	0.00	0.00		0.00		0.00		0.00
904 N 4th Ave	Vang	2907-233-0755	59.00	2,478.00		0.00		0.00		2,478.00
907 N 4th Ave	Xiong / Vue	2907-234-0086	60.00	2,520.00		0.00		0.00		2,520.00
911 N 4th Ave	Wincentzen	2907-234-0085	60.00	2,520.00		0.00		0.00		2,520.00
912 N 4th Ave	Landwehr	2907-233-0258	56.00	2,352.00		0.00		0.00		2,352.00
915 N 4th Ave	Xiong / Vue	2907-234-0084	60.00	2,520.00		0.00		0.00		2,520.00
916 N 4th Ave	Hapke Rev. Trust	2907-233-0257	56.00	2,352.00		0.00		0.00		2,352.00

Address	Name	Key No.	Assessable Footage	Street Assmt	Dr Appr Footage	Assmt @ ____/sf	Sidewalk Footage	Assmt @ \$ ____/lf	Sewer Lateral	Total
918 N 4th Ave	Rosner	2907-233-0256	56.00	2,352.00		0.00		0.00		2,352.00
919 N 4th Ave	Exon	2907-234-0083	60.00	2,520.00		0.00		0.00		2,520.00
921 N 4th Ave	Holzem	2907-234-0082	0.00	0.00		0.00		0.00		0.00
924 N 4th Ave	Havlish	2907-233-0255	56.00	2,352.00		0.00		0.00		2,352.00
1002 N 4th Ave	Coulouris	2907-233-0212	53.00	2,226.00		0.00		0.00		2,226.00
1003 N 4th Ave	Ellis	2907-234-0074	60.00	2,520.00		0.00		0.00		2,520.00
1006 N 4th Ave	Seidler	2907-233-0214	0.00	0.00		0.00		0.00		0.00
1007 N 4th Ave	Shebuski	2907-234-0073	60.00	2,520.00		0.00		0.00		2,520.00
1009 N 4th Ave	Cosmos Properties	2907-234-0072	60.00	2,520.00		0.00		0.00		2,520.00
1010 N 4th Ave	Ksionek	2907-233-0215	0.00	0.00		0.00		0.00		0.00
1013 N 4th Ave	Cosmos Properties	2907-234-0071	60.00	2,520.00		0.00		0.00		2,520.00
1014 N 4th Ave	Wirsbinski	2907-233-0216	0.00	0.00		0.00		0.00		0.00
1018 N 4th Ave	Woller	2907-233-0156	0.00	0.00		0.00		0.00		0.00
1022 N 4th Ave	Leopold	2907-233-0758	74.00	3,108.00		0.00		0.00		3,108.00
1022 Merrill Ave	Cosmos Properties	2907-234-0070	0.00	0.00		0.00		0.00		0.00
313 Norton St	Koch	2907-261-0090	51.00	2,142.00		0.00		0.00		2,142.00
314 Norton St	Williams / Kalinoski	2907-261-0089	54.00	2,268.00		0.00		0.00		2,268.00
401 Norton St	Cheyka	2907-262-0014	51.00	2,142.00		0.00		0.00		2,142.00
315 W Wausau Ave	Ollhoff	2907-261-0082	54.00	2,268.00		0.00		0.00		2,268.00
316 W Wausau Ave	Brown	2907-234-0087	60.00	2,520.00		0.00		0.00		2,520.00

Agenda Item No.

1C

STAFF REPORT TO CISM COMMITTEE – August 11, 2022

AGENDA ITEM

Action on final resolution to levy special assessments for 2022 Alley Paving Projects

BACKGROUND

In the fall of each year, the Common Council adopts resolutions to levy special assessment for alley paving projects. Special assessments for 2022 alley paving projects to be levied this year include the alley bounded by Cedar Street, Spruce Street, North 9th Avenue, and North 10th Avenue.

FISCAL IMPACT

Estimated special assessments of \$13,600.

STAFF RECOMMENDATION

Staff recommends forwarding the resolution to the Common Council to levy the special assessments.

Staff contact: Allen Wesolowski 715-261-6762

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

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

Levying Special Assessments for the 2022 Alley Paving Project

Committee Action:

Fiscal Impact: Estimated construction cost \$52,500; estimated special assessments \$13,600

File Number: 21-1210

Date Introduced: September 13, 2022

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: \$52,500</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: \$52,500 Annual Retirement</i>
	<i>TID Financed:</i>	Yes ☐ No ☐	<i>Amount:</i>
	<i>TID Source: Increment Revenue ☐ Debt ☐ Funds on Hand ☐ Interfund Loan ☐</i>		

RESOLUTION

WHEREAS, on December 14, 2021 a preliminary resolution was adopted for the proposed public construction project which included the installation of asphalt pavement on the alley bounded by Cedar Street, Spruce Street, North 9th Avenue and North 10th Avenue, during 2022; and

WHEREAS, the Engineer's report was filed with the City Clerk; a public hearing was held January 5, 2022; and the Board of Public Works reported upon the hearing to the Capital Improvements and Street Maintenance Committee regarding the comments of those who appeared at said hearing; and

WHEREAS, the Capital Improvements and Street Maintenance Committee did recommend to the Common Council that the project be constructed during 2022, and the Common Council accepted the Committee's reports at its meeting of January 25, 2022 and authorized that the project be accomplished; and

WHEREAS, bids were received by the Board of Public Works and the low bidder was awarded the alley paving project; and

WHEREAS, upon receipt of the low bid, the Engineer recalculated the estimates of construction

costs as set forth in the Engineer's report aforesaid, and applied the bid figures to the City assessment formula to each property affected, and the resulting assessments are attached hereto and made a part hereof;

NOW THEREFORE, BE IT RESOLVED,

1. That payment for said public improvements shall be made through an assessment against the real estate property described above.
2. That the assessments be and are hereby levied in the amount set forth above.
3. That such levy is made by the exercise of the City's police powers.
4. That the assessments are hereby determined to be fair and equitable, allocated amongst the property on a reasonable basis, and are in the public interest.
5. That any interested property owner may contest all or any part of such assessment in the manner provided in Section 3.24.020 of the Wausau Municipal Code.
6. That the special assessments shall be paid as follows:

Assessments under \$300: If payment is not made prior to November 1, 2022, the special assessment will be placed on the 2022 real estate tax bill and be due in full on or before January 31, 2023. There is no interest charged when paid in full. Assessments totaling less than \$300 must be paid in full and do not qualify for a payment schedule.

Assessments totaling \$300 but less than \$20,000: If full payment is not made prior to November 1, 2022, assessments totaling \$300 but less than \$20,000 will automatically be placed on the five-year payment schedule on the 2022 real estate tax bill. Property owners may then pay their special assessment under either of two options:

- A. Payment in full without interest with the 2022 real estate taxes **OR**
- B. Payment of the first one-fifth of the assessment with the 2022 real estate taxes without interest. The remaining balance is paid in equal installments on the next four real estate tax bills and carries an interest charge of the borrowed fund rate plus 1% (the 2021 rate was 1.99%) beginning February 1, 2023, on the unpaid balance. The remaining balance may be paid at any time with interest calculated through the month of payment.

Assessments over \$20,000: If payment is not made prior to November 1, 2022, assessments totaling \$20,000 or more will automatically be placed on the ten-year payment schedule on the 2022 real estate tax bill. Property owners may then pay their special assessment under either of two options:

- A. Payment in full without interest with the 2022 real estate taxes **OR**

- B. Payment of the first one-tenth of the assessment with the 2022 real estate taxes without interest. The remaining balance is paid in equal installments on the next nine real estate tax bills and carries an interest charge of the borrowed fund rate plus 1% (the 2021 rate was 1.99%) beginning February 1, 2023, on the unpaid balance. The remaining balance may be paid at any time with interest calculated through the month of payment.

Real estate taxes may be paid in full or in three installments (January 31, April 30, July 31). Regardless of how real estate taxes are paid, special assessments must be paid on or before January 31, 2023. No payments can be applied to real estate taxes if special assessments are not paid. Section 74.12(11)(a), Wisconsin Statutes, specifically states that if a treasurer receives a payment from a taxpayer which is not sufficient to pay all general property taxes, special assessments and special taxes due, the treasurer shall apply the payment to the amounts due, including interest and penalties, in the following order: (1) personal property taxes; (2) delinquent utility charges; (3) special charges; (4) special assessments; (5) special taxes; (6) general property taxes.

BE IT FURTHER RESOLVED that this final assessment resolution shall be published as a Class I notice in the official City newspaper; and

BE IT FURTHER RESOLVED, the Clerk shall cause to be mailed a copy of this resolution and a statement of the final assessment against the property to every property owner whose name appears on the assessment roll, whose post office address is known or can with reasonable diligence be ascertained.

Approved:

Katie Rosenberg, Mayor

2022 ALLEY IMPROVEMENT PROJECT

Address	Name	Key No.	Footage	Assessment
Cedar Street, Spruce Street, 9th Avenue, 10th Avenue			\$14.26/ft	
306 North 9th Avenue	Stieber	2907-263-0189	53.00	755.78
310 North 9th Avenue	Reuter	2907-263-0188	53.00	755.78
314 North 9th Avenue	Branyik	2907-263-0187	53.00	755.78
316 North 9th Avenue	Seymour	2907-262-0489	53.00	755.78
320 North 9th Avenue	Zarnoth	2907-262-0495	53.00	755.78
322 North 9th Avenue	Kneser	2907-262-0494	53.00	755.78
328 North 9th Avenue	Steinagel	2907-262-0493	53.00	755.78
305 North 10th Avenue	Volhard	2907-263-0207	53.00	755.78
309 North 10th Avenue	TKKD Properties LLC	2907-263-0208	53.00	755.78
311 North 10th Avenue	Smigelski	2907-263-0209	53.00	755.78
317 North 10th Avenue	Bushman	2907-262-0496	53.00	755.78
319 North 10th Avenue	Yach	2907-262-0497	53.00	755.78
323 North 10th Avenue	Kriescher	2907-262-0498	53.00	755.78
327 North 10th Avenue	Champagne	2907-262-0499	53.00	755.78
903 Cedar Street	Felix	2907-262-0492	53.00	755.78
915 Cedar Street	Piotrowski	2907-262-0500	53.00	755.78
904 Spruce Street	Parbon	2907-263-0190	53.00	755.78
916 Spruce Street	Laub	2907-263-0206	53.00	755.78

Agenda Item No.

1D

STAFF REPORT TO CISM COMMITTEE – August 11, 2022

AGENDA ITEM
Action on easement with WPS at 500 Washington Street and 555 Jefferson Street
BACKGROUND
WPS is requesting an easement on two City of Wausau parcels. The easements will enable WPS to remove some overhead facilities and bury them.
FISCAL IMPACT
No fiscal impact to the City. Any disturbed areas will be restored in kind by WPS.
STAFF RECOMMENDATION
Staff recommends approving the easement.
Staff contact: Allen Wesolowski 715-261-6762

ELECTRIC UNDERGROUND EASEMENT

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

Part of Lot 1-6, 11-15 of Block 4 of the recorded plat of STEWART MANSON & HINTON'S ADDITION, being part of the Southeast Quarter of the Southwest Quarter (SE1/4-SW1/4) of Section 25 and part of the Northeast Quarter of the Northwest Quarter (NE1/4-NW1/4) of Section 36, all in Township 29 North, Range 7 East, **City of Wausau, County of Marathon, State of Wisconsin**,

as shown on the **attached Exhibit "A"**.

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

Parcel Identification Number (PIN)
291-2907-362-0196

- 1. Purpose: ELECTRIC UNDERGROUND** - The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
- 2. Access:** Grantee shall have the right to enter on and across any of the Grantor's property outside of the easement area as may be reasonably necessary to gain access to the easement area and as may be reasonably necessary for the construction, installation, operation, maintenance, inspection, removal or replacement of the Grantee's facilities.
- 3. Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric and gas codes or any amendments thereto.
- 4. Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until sometime in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

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

CITY OF WAUSAU

Corporate Name

Sign Name

Print name & title

Sign Name

Print name & title

STATE OF _____)
COUNTY OF _____)SS

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

CITY OF WAUSAU, to me known to be the Grantor(s) who executed the foregoing instrument on behalf of said Grantor(s) and acknowledged the same

Sign Name _____
Print Name _____

Notary Public, State of _____
My Commission expires: _____

This instrument drafted by: Donald Schmoll

Wisconsin Public Service Corporation

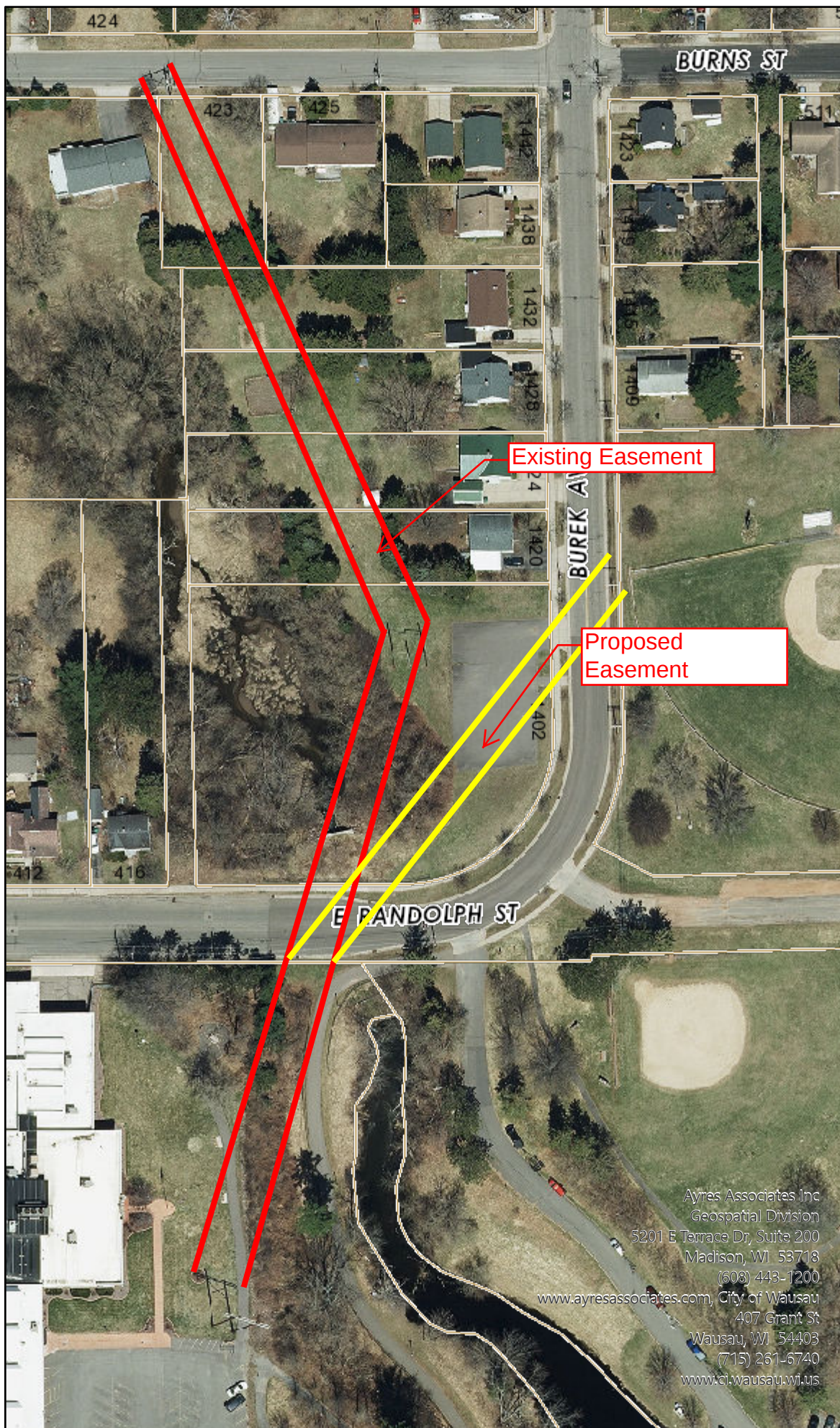
Date	County	Municipality	Site Address	Parcel Identification Number
July 14, 2022	Marathon	City of Wausau	500 WASHINGTON ST	291-2907-362-0196
Real Estate No.	WPSC District	WR#	WR Type	I/O
3300719	Wausau-61	3315145	ERU	6000272

TEMPORARY EXHIBIT "A"

NOT TO SCALE
FOR REFERENCE ONLY



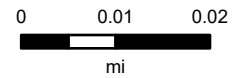
AGENDA ITEM
Discussion and possible action on easement with WPS at 1402 Burek Avenue
BACKGROUND
WPS is working to relocate the 46 KV distribution line along Randolph Street, Burek Ave, and Campus Drive. Part of this relocation involves the parcel at 1402 Burek Ave. The existing transmission line crosses this parcel. The relocated line would cross the parcel at the new location. It appears the relocated location would have less of an impact on the parcel. If this easement is granted and the new line constructed, the old line would be removed.
FISCAL IMPACT
None
STAFF RECOMMENDATION
Staff recommends approving the easement, the new easement and line location has less of an impact on the parcel.
Staff contact: Allen Wesolowski 715-261-6762



ArcGIS Web Map

City of Wausau / DPW

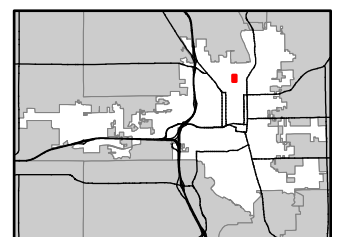
Date Printed: 8/4/2022



- Municipal Boundaries
- Parcel

Existing Easement

Proposed Easement



NOTES:

1. Duplication of this map is prohibited without the written consent of the City of Wausau DPW / GIS 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. City of Wausau
Public Works / GIS Division
407 Grant St
Wausau, WI 54403
www.ci.wausau.wi.us

Ayres Associates Inc
Geospatial Division
5201 E Terrace Dr, Suite 200
Madison, WI 53718
(608) 443-1200
www.ayresassociates.com, City of Wausau
407 Grant St
Wausau, WI 54403
(715) 261-6740
www.ci.wausau.wi.us

ELECTRIC OVERHEAD EASEMENT

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

Part of the Parcel described in Marathon County Register of Deeds, recorded as Document Number 401773, being part of the Southeast Quarter of the Northeast Quarter (SE1/4-NE1/4) of Section 23, Township 29 North, Range 7 East, **City of Wausau, County of Marathon, State of Wisconsin**, more as shown on the **attached Exhibit "A"**.

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

Parcel Identification Number (PIN)
291-2807-231-0661

1. **Purpose: ELECTRIC OVERHEAD** - The purpose of this easement is to construct, erect, operate, maintain and replace overhead utility facilities, including a line of poles, together with the necessary conductors, anchors, guy wires, underground cable, pedestals, riser equipment and all other appurtenant equipment above ground which Grantee deems necessary to transmit electric energy, signals, television and telecommunications services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed by Grantee whenever it decides it is necessary so as not to interfere with Grantee's use of the easement area.
2. **Access:** Grantee shall have the right to enter on and across any of the Grantor's property outside of the easement area as may be reasonably necessary to gain access to the easement area and as may be reasonably necessary for the construction, installation, operation, maintenance, inspection, removal or replacement of the Grantee's facilities.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric and gas codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.

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

[REMAINDER OF PAGE LEFT BLANK]

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

City of Wausau

Corporate Name

Sign Name

Print name & title

Sign Name

Print name & title

STATE OF _____)
COUNTY OF _____)SS

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

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

Sign Name _____
Print Name _____

Notary Public, State of _____
My Commission expires: _____

This instrument drafted by: Philip Paradies
Wisconsin Public Service Corporation

Date	County	Municipality	Site Address	Parcel Identification Number
August 1, 2022	Marathon	City of Wausau	1402 Burek Ave	291-2807-231-0661
Real Estate No.	WPSC District	WR#	WR Type	I/O
1056336	Wausau-61	3161279	EPLAN	6000272

AGENDA ITEM
Discussion and possible action on Alexander Davis Final Plat
BACKGROUND
A copy of the Alexander Plat is attached along with application. Engineering Staff review comments: • The creation of Outlot 8 creates land locked parcels (lots 3 and 4) with no access to right of way. • TID boundaries cross the proposed lot lines.
FISCAL IMPACT
Approving the plat will allow for the sale and development of the lots.
STAFF RECOMMENDATION
Staff recommends approving the final plat with consideration to staff review comments.
Staff contact: Allen Wesolowski 715-261-6762

CITY OF WAUSAU FORMAL APPLICATION FOR APPROVAL OF A FINAL PLAT

Instructions: This application should be completed and returned to the City Engineer with six (6) copies of the final plat (at least one copy should be 11"X17" or smaller). The final plat should be prepared in accordance with the requirements of Chapter 21.12.070 of the *Wausau Municipal Code*. A copy of Chapter 21.12.070 is available in the City Engineering Department and on the City's Website at: www.ci.wausau.wi.us (under the sub-heading Government: Municipal Code).

NOTE: Much of the information requested below may have been provided with your application for approval of a preliminary plat. We are requesting it again in case there have been changes since the preliminary plat application was submitted.

SECTION I. Applicant Information

- 1) Name of Subdivision Legal Owner (or Agent): WAUSAU OPPORTUNITY ZONE
- 2) Mailing Address of Owner (or Agent): SUITE 300
2100 STEWART AVE WAUSAU 54401
- 3) Owner/Agent Contact Information 715-675-9784 (Phone Number) (Fax Number)
TRADENZO REENGINEERING.COM
(E-mail address and/or alternate phone number, if available)
- 4) Name of Surveyor & Business Name: JEFF ROSSICE, REE ENGINEERING
- 5) Address of Surveyor: 4020 N. 20th AVE.
WAUSAU 54401
- 6) Surveyor Contact Information: 715-675-9784 (Phone Number) (Fax Number)
JROSSICE@REEENGINEERING.COM
(E-mail address and/or alternate phone number, if available)

*Name, Address, and Telephone Number of technician responsible for subdivision design and of the surveyor responsible for surveys should be shown on the final plat as submitted.

SECTION II. Subdivision Information — Name and Location

- 7) Name of Subdivision (if within an existing subdivision): - ORIGINAL Plat of WAUSAU - ALEXANDER DAVIS PLAT
- 8) Proposed Name (if not within previously platted subdivision): _____
- 9) Date of Common Council approval AND File Number of preliminary plat upon which this final

plat is based: MARCH 8, 2022

(Council Approval Date)

22-0304

(File Number)

10) List street names proposed in final plat (Check with Marathon County Department of Conservation, Planning and Zoning at 715-261-6040 to avoid duplication, etc.):

2ND STREET, 3RD STREET, WASHINGTON STREET,
JACKSON STREET

11) Location and Description of Property (government lot, section, township, range and county):

PART OF GOVT LOT 5, SECTION 35 & GOVT LOT 1
Sec. 36, T29N., R7E.

SECTION III. Subdivision Information — Basic Facts and Proposals

12) Size of tract in acres and/or of existing lots, if any, in square feet: 0.560 ACRES

13) Existing zoning classification of property: UDD

14) Is any rezoning to be proposed? If so, describe: NO

15) Total number of lots included on the final plat: 7 LOTS, 6 OUTLOTS

16) Total area shown on the final plat, including streets: 15.217 ACRES

17) Area of lots proposed: Minimum 15,481 sq. ft. Average 59,500 sq. ft. Maximum 2.378 AC.

18) Proposed Sanitary Facilities

Water: PUBLIC WATER SUPPLY

Sewerage Disposal: PUBLIC SEWER DISPOSAL

19) Any other proposals, such as parcels of land intended to be dedicated, conveyed, or reserved for public use, and the conditions proposed for such disposal and use (describe in detail):

PUBLIC STREET DEDICATIONS AS SHOWN

20) List citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date and land records reference:

PARTIALLY OWNED BY THE CITY OF WAUSAU

WAUSAU OPPORTUNITY ZONE - OUT CLAY DEED - Doc No 179746B

DATED 2/6/20

21) List citation of any existing legal rights-of-way or easements affecting the property: _____

SEE FACE OF PLAT FOR VARIOUS GROUND LEASE PARCELS AND
NON EXCLUSIVE EASEMENTS AS SHOWN

22) List existing covenants on the property, if any: REFER TO ANSWER TO #21

23) List any proposed covenants on the property, if any: _____

THE APPLICANT MUST COMPLETE THE FOLLOWING:

Completed by: Tom Rosene

Today's Date: 7/28/22

Tom Rosene

(Your Signature)

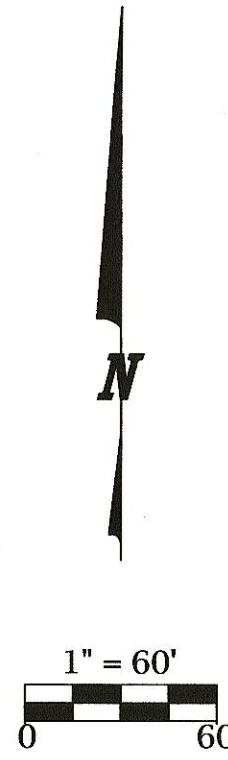
**If you wish to submit additional information, you may attach extra pages to this application form.*

MUNICIPAL PLAT OF
ALEXANDER DAVIS PLAT

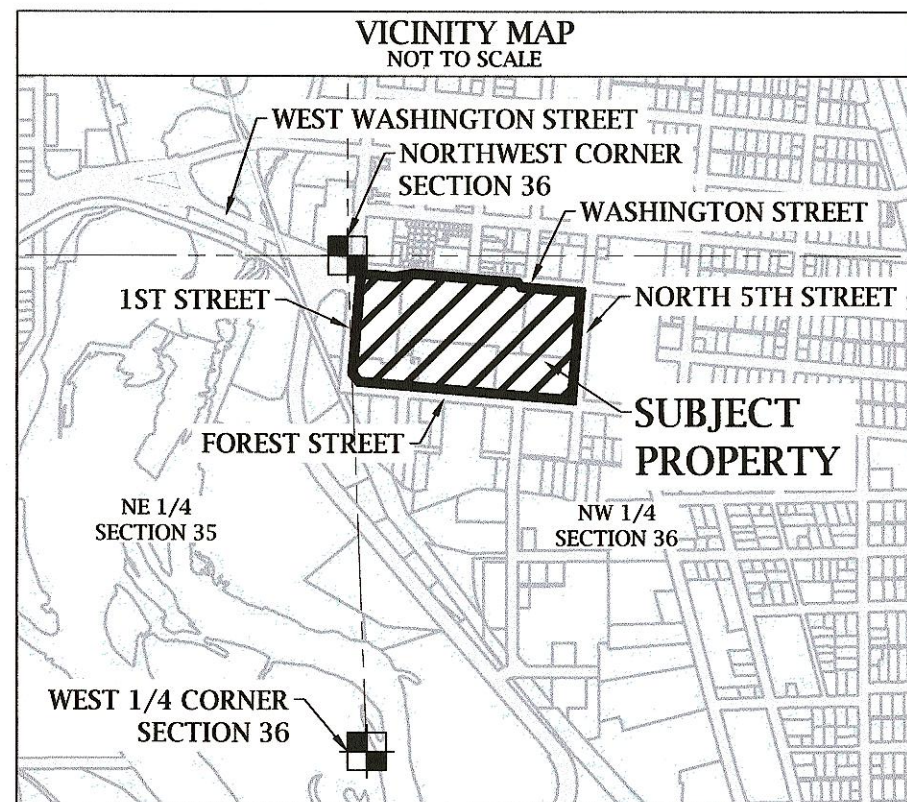
ALL OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 17778, RECORDED IN VOLUME 86, ON PAGE 23, AS DOCUMENT NUMBER 1740752 AND PART OF CERTIFIED SURVEY MAP NUMBER 2264, RECORDED IN VOLUME 9, ON PAGE 48, AS DOCUMENT NUMBER 786295, BOTH FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE; ALSO KNOWN AS BLOCKS 9, 10, 11, 12, 19, 20, 23, AND 24 OF THE ORIGINAL PLAT OF THE CITY OF WAUSAU, VACATED JACKSON STREET, VACATED WASHINGTON STREET, VACATED SECOND STREET AND VACATED FOURTH STREET; ALL LOCATED IN GOVERNMENT LOT 8 OF SECTION 35 AND GOVERNMENT LOT 1 OF SECTION 36, TOWNSHIP 29 NORTH, RANGE 7 EAST, CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN.

GENERAL NOTES:

1. BEARINGS ARE BASED ON THE MARATHON COUNTY COORDINATE SYSTEM, NAD83 (GDA11) DATUM, AND ARE REFERENCED TO THE WEST LINE OF THE NORTHWEST 1/4 SECTION 36, TOWNSHIP 29 NORTH, RANGE 7 EAST, MEASURED TO BEAR SOUTH 02°11'33" EAST.
2. SUBJECT PROPERTY IS LOCATED IN THE PUD (PUBLIC UNIT DEVELOPMENT) ZONING WHICH THERE ARE NO SETBACKS.
3. FIELDWORK WAS COMPLETED ON 06/20/2022.
4. LANDS LOCATED WEST OF NORTH 2ND STREET WILL BE SUBJECT TO THE WAUSAU OPPORTUNITY ZONE CONDOMINIUM PENDING APPROVAL.



LEGEND	
	IR NAIL FOUND
	DRILL HOLE FOUND
	CHISELED "X" FOUND
	1-1/4 IN. O.D. IRON PIPE FOUND
	SET DRILL HOLE
	RECORDED BEARING/LENGTH
	MEASURED BEARING/LENGTH

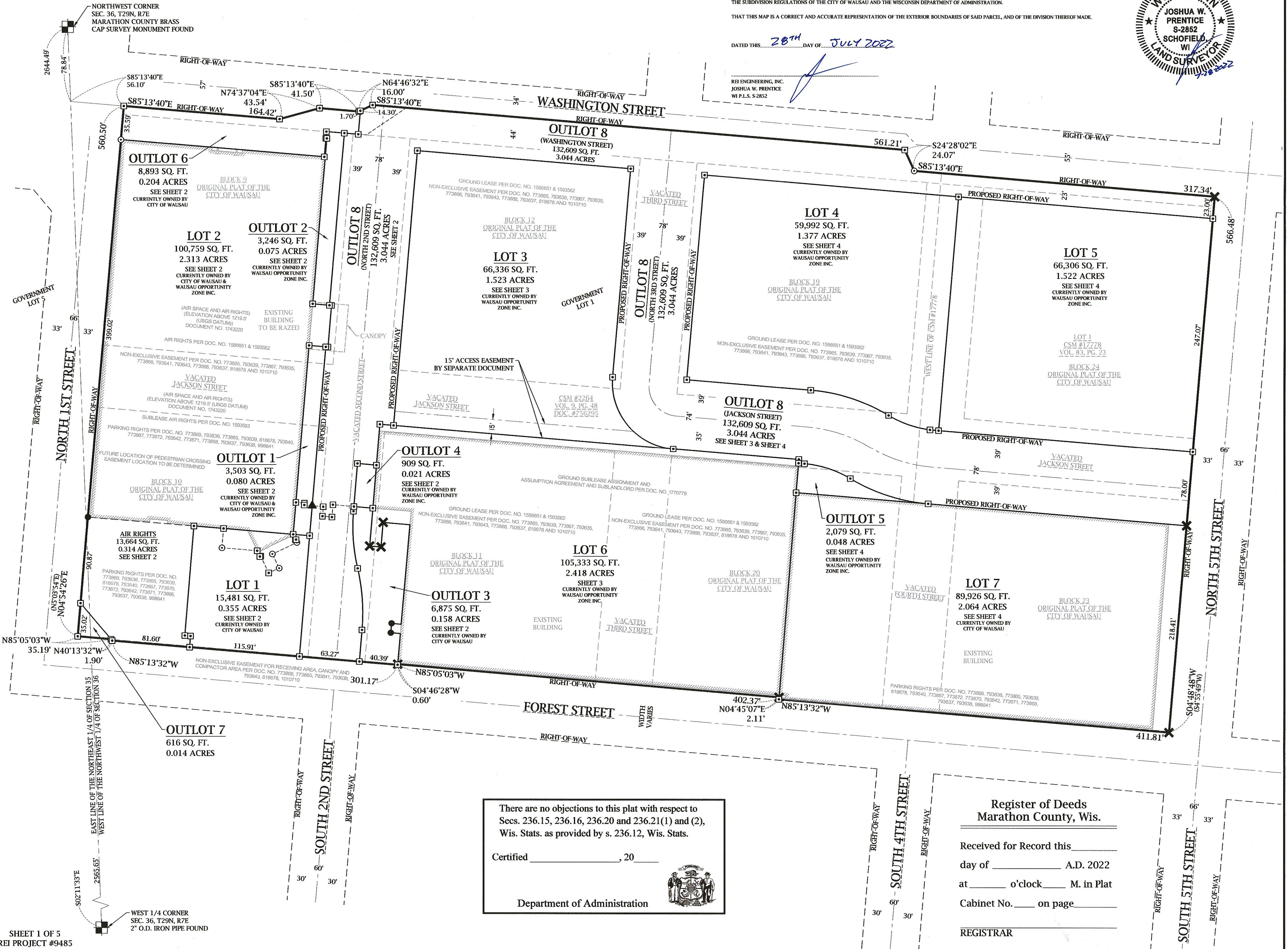


DATE	REVISION	BY	CHK'D
06/20/2022	1	JWP	JWP

REI Engineering, Inc.
4800 N. 20th Avenue
Milwaukee, Wisconsin 53222
PHONE: 778.675.9786 FAX: 778.675.4040
EMAIL: TYPAL@REIENGINEERING.COM

REI CIVIL & ENVIRONMENTAL
ENGINEERING, SURVEYING

SHEET 1 OF 5
REI PROJECT #9485



SURVEYOR'S CERTIFICATE

I, JOSHUA W. PRENTICE, WISCONSIN PROFESSIONAL LAND SURVEYOR S.2852, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT I HAVE SURVEYED, MAPPED AND DIVIDED A PARCEL OF LAND BEING PART OF CERTIFIED SURVEY MAP NUMBER 2264, RECORDED IN VOLUME 9, ON PAGE 48, AS DOCUMENT NUMBER 786295, AND BEING ALL OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 17778, RECORDED IN VOLUME 86, ON PAGE 23, AS DOCUMENT NUMBER 1740752, ALSO KNOWN AS BLOCKS 9, 10, 11, 12, 19, 20, 23, AND 24 OF THE ORIGINAL PLAT OF THE CITY OF WAUSAU AND VACATED JACKSON STREET, SECOND STREET AND FOURTH STREET, ALL FILED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE, LOCATED IN GOVERNMENT LOT 8 OF SECTION 35 AND GOVERNMENT LOT 1 OF SECTION 36, TOWNSHIP 29 NORTH, RANGE 7 EAST, ALL IN THE CITY OF WAUSAU, MARATHON COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 36, THENCE SOUTH 02°11'33" EAST, CONCORDANT WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 36, 78.84 FEET TO A POINT BEING THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF WASHINGTON STREET, THENCE SOUTH 85°13'40" EAST, CONCORDANT WITH SAID WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF WASHINGTON STREET, 26.10 FEET TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE OF WASHINGTON STREET WITH THE EAST RIGHT-OF-WAY LINE NORTH 1ST STREET, ALSO BEING THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 85°13'40" EAST, CONCORDANT WITH SAID SOUTH RIGHT-OF-WAY LINE, 164.42 FEET, THENCE NORTH 74°37'04"E EAST, CONCORDANT WITH SAID SOUTH RIGHT-OF-WAY LINE, 43.54 FEET, THENCE SOUTH 85°13'40" EAST, CONCORDANT WITH SAID SOUTH RIGHT-OF-WAY LINE, 41.50 FEET, THENCE NORTH 64°45'52"E EAST, CONCORDANT WITH SAID SOUTH RIGHT-OF-WAY LINE, 16.00 FEET, THENCE SOUTH 85°13'40" EAST, CONCORDANT WITH SAID SOUTH RIGHT-OF-WAY LINE, 561.21 FEET, THENCE SOUTH 85°13'40" EAST, CONCORDANT WITH SAID SOUTH RIGHT-OF-WAY LINE, 24.07 FEET, THENCE NORTH 85°13'40" WEST, CONCORDANT WITH SAID SOUTH RIGHT-OF-WAY LINE, 317.34 FEET TO THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE OF WASHINGTON STREET WITH THE WEST RIGHT-OF-WAY LINE OF NORTH 1ST STREET, THENCE SOUTH 85°13'40" WEST, CONCORDANT WITH SAID WEST RIGHT-OF-WAY LINE, 566.48 FEET TO THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE OF NORTH 1ST STREET WITH THE NORTH RIGHT-OF-WAY LINE OF FOREST STREET, THENCE NORTH 85°13'32" WEST, CONCORDANT WITH SAID NORTH RIGHT-OF-WAY LINE, 41.81 FEET, THENCE NORTH 04°45'07"E EAST, CONCORDANT WITH SAID NORTH RIGHT-OF-WAY LINE, 2.11 FEET, THENCE NORTH 85°13'32" WEST, CONCORDANT WITH SAID NORTH RIGHT-OF-WAY LINE, 301.17 FEET, THENCE NORTH 85°13'32" WEST, CONCORDANT WITH SAID NORTH RIGHT-OF-WAY LINE, 1.90 FEET, THENCE NORTH 85°13'32" WEST, CONCORDANT WITH SAID NORTH RIGHT-OF-WAY LINE, 35.19 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE OF FOREST STREET AND SAID EAST RIGHT-OF-WAY LINE OF NORTH 1ST STREET, THENCE NORTH 04°45'26"E EAST, CONCORDANT WITH SAID EAST RIGHT-OF-WAY LINE, 560.50 FEET TO SAID INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WASHINGTON STREET WITH THE EAST RIGHT-OF-WAY LINE NORTH 1ST STREET, AND BEING THE POINT OF BEGINNING.

THAT THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 662.863 SQUARE FEET, 15.217 ACRES, MORE OR LESS.

THAT I HAVE MADE THIS SURVEY, DIVISION AND MAP THEREOF AT THE DIRECTION OF THE WAUSAU OPPORTUNITY ZONE INC., AGENT OF SAID PARCEL.

THAT SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES, WISCONSIN ADMINISTRATIVE CODE A-7 AND THE SUBDIVISION REGULATIONS OF THE CITY OF WAUSAU AND THE WISCONSIN DEPARTMENT OF ADMINISTRATION.

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

DATED THIS 28TH DAY OF JULY 2022

REI ENGINEERING, INC.
JOSHUA W. PRENTICE
W.P.L.S. S.2852



There are no objections to this plat with respect to
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),
Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration



Register of Deeds
Marathon County, Wis.

Received for Record this _____

day of _____ A.D. 2022

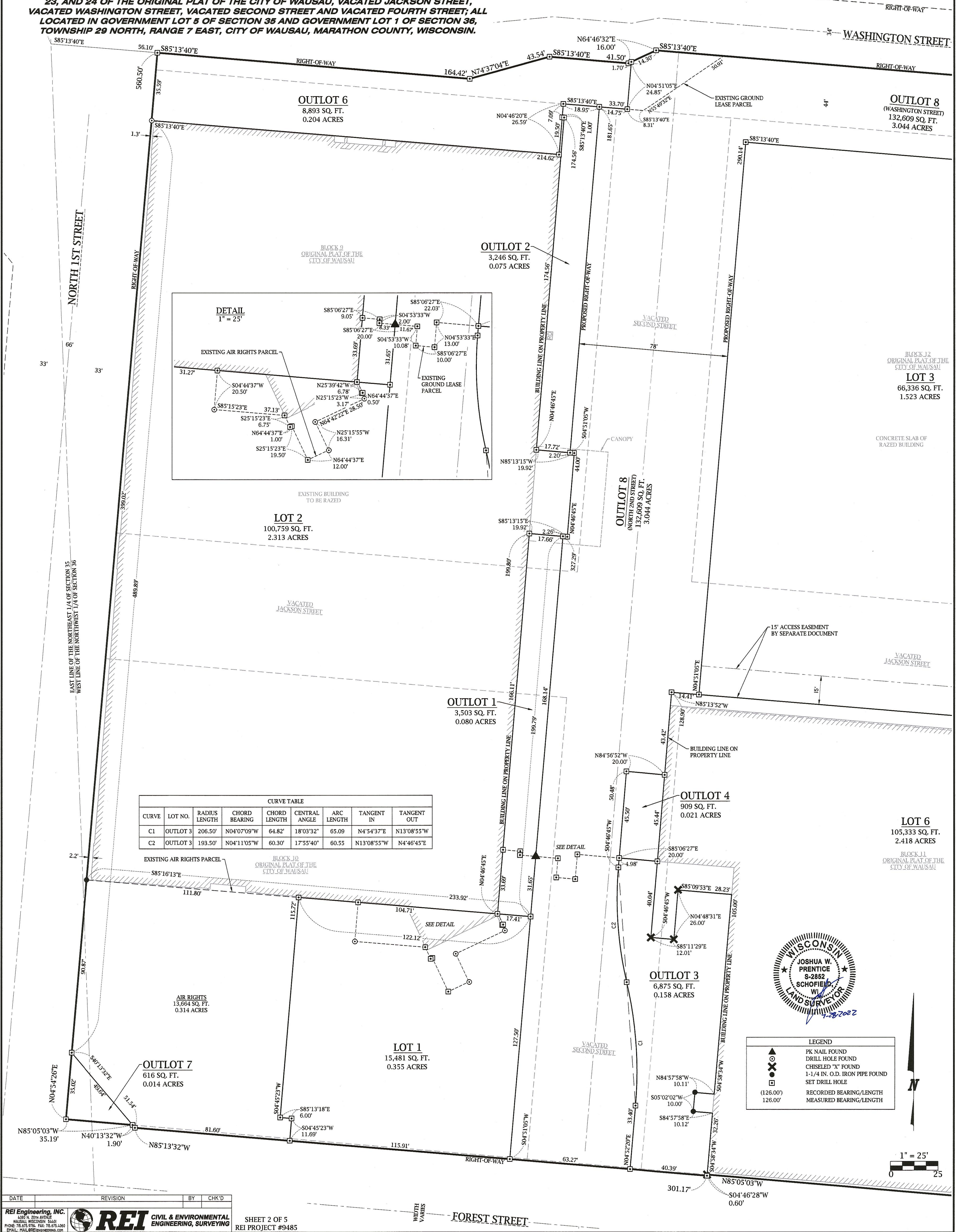
at _____ o'clock _____ M. in Plat

Cabinet No. _____ on page _____

REGISTRAR

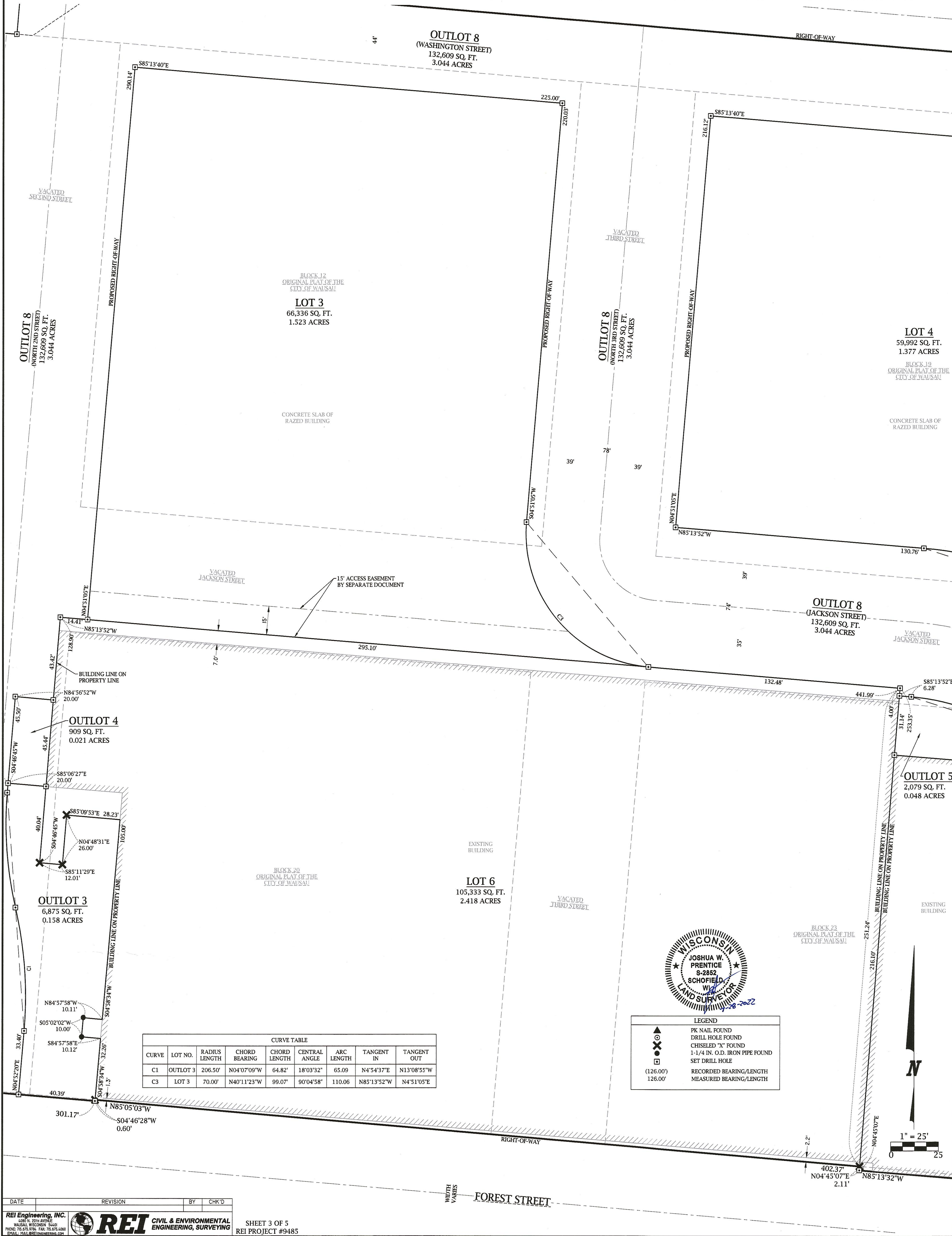
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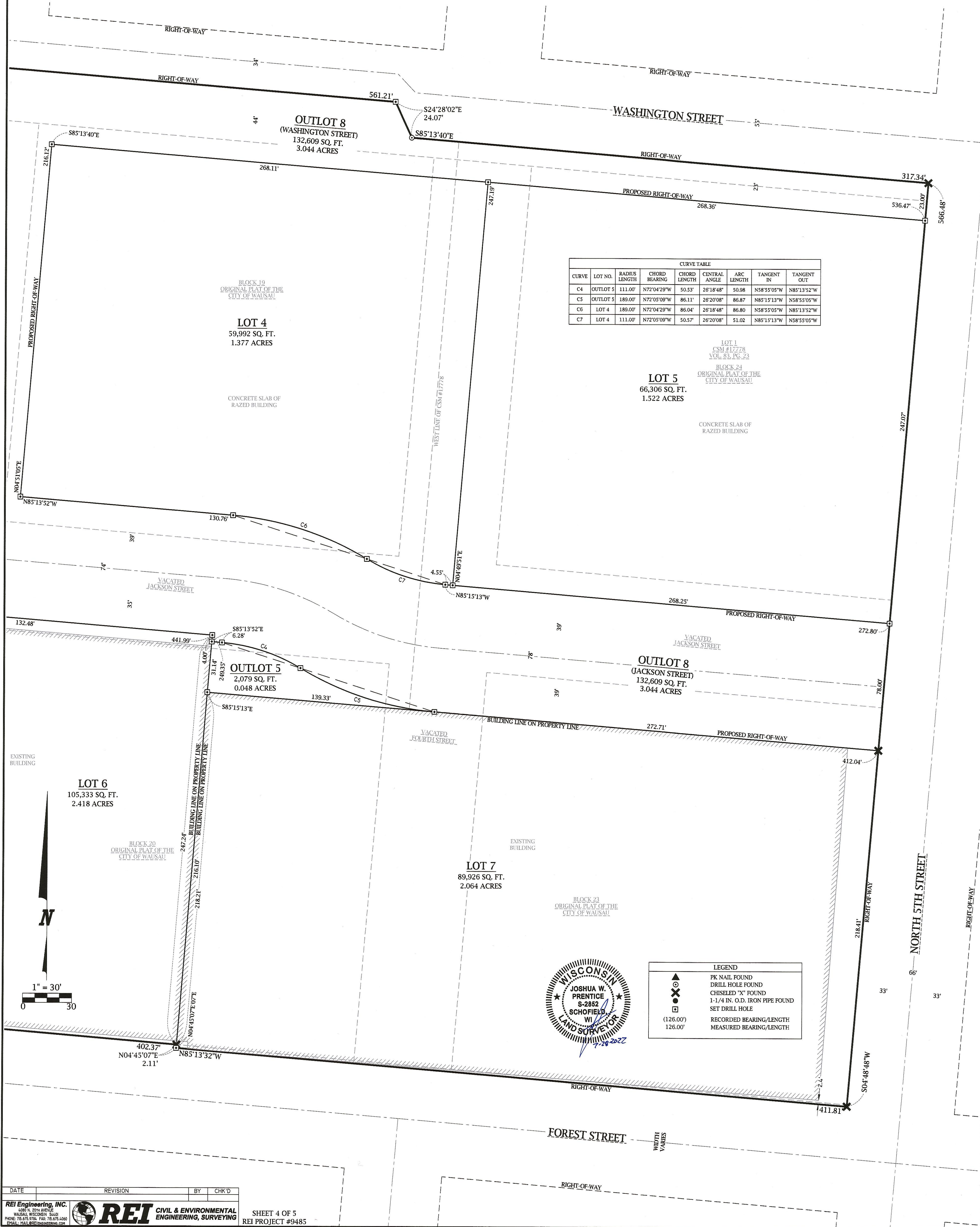
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LIMITED LIABILITY COMPANY OWNER'S CERTIFICATE OF DEDICATION

WAUSAU OPPORTUNITY ZONE, LLC, A WISCONSIN LIMITED LIABILITY COMPANY, AS OWNER, DOES HEREBY CERTIFY THAT SAID COMPANY CAUSED THE LAND DESCRIBED ON THE ALEXANDER DAVIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED, AS REPRESENTED ON THIS ALEXANDER DAVIS PLAT.

WAUSAU OPPORTUNITY ZONE, LLC, DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY s.236.10 OR s.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF WAUSAU AND THE STATE OF WISCONSIN DEPT. OF ADMINISTRATION.

IN WITNESS WHEREOF, THE SAID WAUSAU OPPORTUNITY ZONE, LLC, HAS CAUSED THESE PRESENTS

TO BE SIGNED BY _____, MEMBER AT _____, WISCONSIN,

THIS _____ DAY OF _____, 2022

IN THE PRESENCE OF: WAUSAU OPPORTUNITY ZONE, LLC

_____, MEMBER

STATE OF WISCONSIN) SS
_____ COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2022 THE ABOVE NAMED

_____, MEMBER OF THE ABOVE NAMED WAUSAU OPPORTUNITY ZONE, LLC AND TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING LIMITED LIABILITY COMPANY OWNER'S CERTIFICATE OF DEDICATION AND TO ME KNOWN TO BE SUCH MEMBER OF SAID COMPANY, AND ACKNOWLEDGE THAT THEY EXECUTED THE FOREGOING LIMITED LIABILITY COMPANY OWNER'S CERTIFICATE OF DEDICATION AS SUCH MEMBER AS THE DEED OF SAID COMPANY, BY ITS AUTHORITY.

NOTARY PUBLIC _____ STATE OF WISCONSIN

MY COMMISSION EXPIRES _____

OWNER'S CERTIFICATE OF DEDICATION

CITY OF WAUSAU, AS OWNER, DOES HEREBY CERTIFY THAT THEY CAUSED THE LAND DESCRIBED ON THE ALEXANDER DAVIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED, AS REPRESENTED ON THIS ALEXANDER DAVIS PLAT.

CITY OF WAUSAU DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY S. 236.10 OR S. 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF WAUSAU AND THE WISCONSIN DEPARTMENT OF ADMINISTRATION.

IN WITNESS WHEREOF, CITY OF WAUSAU, HAS CAUSED THESE PRESENTS

TO BE SIGNED BY (PRINT NAME) _____, (TITLE) _____

AND COUNTERSIGNED BY (PRINT NAME) _____, (TITLE) _____,

AT _____, WISCONSIN, THIS _____ DAY OF _____, 2022.

IN THE PRESENCE OF: CITY OF WAUSAU

(SIGNATURE) _____

(PRINT NAME) _____

SIGNATURE _____

(PRINT NAME) _____

STATE OF WISCONSIN) SS

_____ COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2022,

THE ABOVE NAMED (PRINT NAME) _____, (TITLE) _____

AND (PRINT NAME) _____, (TITLE) _____

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

NOTARY PUBLIC _____ STATE OF WISCONSIN

MY COMMISSION EXPIRES _____

LESSEE'S CERTIFICATE

HOM FURNITURE, INC., A CORPORATION FORMED UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF MINNESOTA, HAVING AN INTEREST IN THESE LANDS, DOES HEREBY CERTIFY THAT SAID CORPORATION CAUSED THE LAND DESCRIBED ON THIS ALEXANDER DAVIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS REPRESENTED ON THIS ALEXANDER DAVIS PLAT.

IN WITNESS WHEREOF, THE SAID HOM FURNITURE, INC. HAS CAUSED THESE PRESENTS TO BE SIGNED BY

_____, AT _____, AND ITS CORPORATE SEAL

HEREBUNTO AFFIXED ON THIS _____ DAY OF _____, 2____. IN THE PRESENCE OF: HOM FURNITURE, INC.

_____, TITLE

STATE OF _____)
_____ SS
_____ COUNTY)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2022, THE

ABOVE NAMED _____

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

_____, NOTARY PUBLIC

STATE OF WISCONSIN

MY COMMISSION EXPIRES _____

CERTIFICATE OF THE CITY OF WAUSAU TREASURER

STATE OF WISCONSIN) SS

_____ MARATHON COUNTY)

I, MARYANNE GROAT, BEING THE DULY APPOINTED, QUALIFIED AND ACTING TREASURER OF THE CITY OF WAUSAU, WISCONSIN, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF _____, 2022 AFFECTING THE LANDS INCLUDED IN THE

ALEXANDER DAVIS PLAT.

DATED THIS _____ DAY OF _____, 2022

_____, MARYANNE GROAT, TREASURER

CITY OF WAUSAU COMMON COUNCIL APPROVAL CERTIFICATE:

RESOLVED, THAT THE ALEXANDER DAVIS PLAT, IN THE CITY OF WAUSAU, WAUSAU OPPORTUNITY ZONE, LLC, AND CITY OF WAUSAU, OWNERS, IS HEREBY APPROVED BY THE CITY OF WAUSAU COMMON COUNCIL.

DATE _____ APPROVED _____ MAYOR

DATE _____ SIGNED _____ MAYOR

I HEREBY CERTIFY THAT THE AFOREMENTIONED ALEXANDER DAVIS PLAT HAS BEEN APPROVED BY THE CITY OF WAUSAU COMMON COUNCIL.

_____, CITY OF WAUSAU CLERK

MARATHON COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN) SS

_____ MARATHON COUNTY)

I, CONNIE BEYERSDORFF, COUNTY TREASURER, BEING THE DULY ELECTED, QUALIFIED, AND ACTING TREASURER OF THE COUNTY OF MARATHON, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR SPECIAL ASSESSMENTS AS OF _____, 2022, AFFECTING THE LANDS INCLUDED IN THE ALEXANDER

DAVIS PLAT.

DATED THIS _____ DAY OF _____, 2022

_____, CONNIE BEYERSDORFF, TREASURER, MARATHON COUNTY





Office of the City Attorney

TEL: (715) 261-6590

FAX: (715) 261-6808

Anne L. Jacobson
City Attorney

Tara G. Alfonso
Assistant City Attorney

Nathan Miller
Assistant City Attorney

This memo addresses the resolution seeking to vacate a small portion of the South 12th Street right-of-way adjacent to the property located at 1117 Single Avenue¹. After reviewing the City's records and discussing the matter internally with the City Engineer and City Inspector, it is the City Attorney's Office's recommendation that this resolution be adopted for the reasons set forth in this memo.

History of the Parcel

According to the City Assessor, the house located at 1117 Single Avenue (the "Parcel") was built around 1890.² The neighborhood, Pleasant View Park, was platted in 1911.³ In that plat, it planned for the street to the east of the Parcel to be Eleventh Street. This street was later renumbered due to the fact that Eleventh Street did not go south of Single Avenue. Additionally in this original plat, the Parcel was excluded from the plat. South 12th Street is centered within the 60-foot right-of-way. It is believed that the current right-of-way configuration has been in place since this was originally platted in 1911.

Recently the owner of the Parcel came into the Inspections Department to apply for a building permit to fix the front enclosed porch with an overhang (the "Front Porch"), as it is in disrepair and needs fixing. This is when it was discovered that the house and this front porch are encroaching into the right-of-way of South 12th Street. The house itself encroaches the right of way and the front porch and overhang further encroaches the right-of-way. It is not known exactly when the front porch was built, but the Assessor's Office has a photo of the house taken in October 1968⁴ that shows no front porch. The Engineer Department, using GIS, show the front porch being there as of 1974⁵. Due to this encroachment, the Building Permit was denied.

Following this denial, the Inspection's Department contacted the City Attorney's Office about this encroachment for advice on what to do. Following this, the City Attorney's Office has thoroughly reviewed the City's files. There are no records of the City ever taking any action to permit or cause the Parcel's property owners to remove the building encroaching South 12th Street's right-of-way.

Adverse Possession Claims

At this point, the owner of the Parcel is not claiming adverse possession for the areas covered by the eastern wall of his property along with the front porch. Adverse possession is an ancient legal doctrine in which a property owner may lose title to property if another possesses the property for a statutory period and the possession is exclusive, uninterrupted, continuous, and hostile, with open and notorious actual occupancy of the disputed property. Prior to 1931, adverse possession against governmental entities in Wisconsin was

¹ See Exhibit A

² The Parcel's actual legal description is Pt of Se Se Com at Insectn of S Ln of Single Ave & W Ln of 12th St W 52'S 135'E 52'N 135' to Beg Sec 36-29-7.

³ See Exhibit B

⁴ See Exhibit C

⁵ See Exhibit D

not permitted. However, in 1931 the laws were changed to allow adverse possession against governmental entities if the person possessing the property could establish 40 years of uninterrupted adverse possession. The laws regarding adverse possession against governmental entities have changed over the intervening years, but because the courts have found that changes in the adverse possession laws are prospective in their application⁶, if a land owner can show that they and their predecessors in title have adversely possessed City right-of-way for at least 40 consecutive years, and this possession started no later than May 20, 1980⁷, then they will have met the statutory requirements and will have established title to that portion of the City's right-of-way.

With this framework in mind, it is clear that the Parcel's owner, though his predecessors in title, has established adverse possession over the areas encompassing the eastern wall and front porch. The house has been present in this portion of the right-of-way since 1890, and the City has made no efforts, at any point in time, to have the house removed. The front porch was built and has been present since sometime between October 1968 and 1974. Given the nature of the house (a permanent building), its mere uninterrupted presence from 1890 and the front porch's uninterrupted presence since at the latest 1974 to today, meets all the elements of adverse possession. As a result, it is the City Attorney's Office's opinion that the City has already lost title to these areas where the eastern wall and front porch encroaches into the right-of-way of South 12th Street, although the Parcel's owner still needs to perfect his title.

Vacation of Right-of-Way

As a result in the unique manner in which the Parcel, the right-of-way, and the front porch area have developed over time, the City Attorney's Office recommends vacating this portion of the right-of-way. Although the Attorney's Office believes the owner already possess title to this portion of the right-of-way, it recommends formally vacating this portion, in case the City still maintains any interest in this portion of the right-of-way. Please see Exhibit E for the area to be vacated. Indeed, vacation will benefit the City (and the Parcel's owner) by not only clearing up title to this land, but by placing this area on the tax rolls as part of the Parcel.

Assuming that the Common Council decides to follow the recommendations of the City Attorney's Office and vacate these areas of the right-of-way, it will help the Parcel's owner establish a clear recorded title over this land and save the City time and resources that would otherwise be spent "defending" a civil suit for which we would have no grounds of defense.

Conclusion

Given the analysis above, and for the reasons stated herein, it is the City Attorney's Office's opinion that the resolution to partially vacate the right-of-way for the areas of the eastern wall and front porch of the Parcel, adjacent to South 12th Street should be adopted by the Common Council in recognition of the Owner adversely possessing this land. It should be further noted that this Office does not feel that this decision, to vacate a portion of the right-of-way in response to this unique circumstance, would set a bad precedent for the City in protecting its right-of-ways in the future because it is unlikely that the unique facts of this case will rise again.

Nathan Miller 7/1/2022

⁶ See *Petropoulos v. City of West Allis*, 436 N.W.2d 880 (1989), *Polanski v. Town of Eagle Point*, 141 N.W.2d 281 (1966).

⁷ The law changed to reduce the amount of years from 40 years to 20 years.

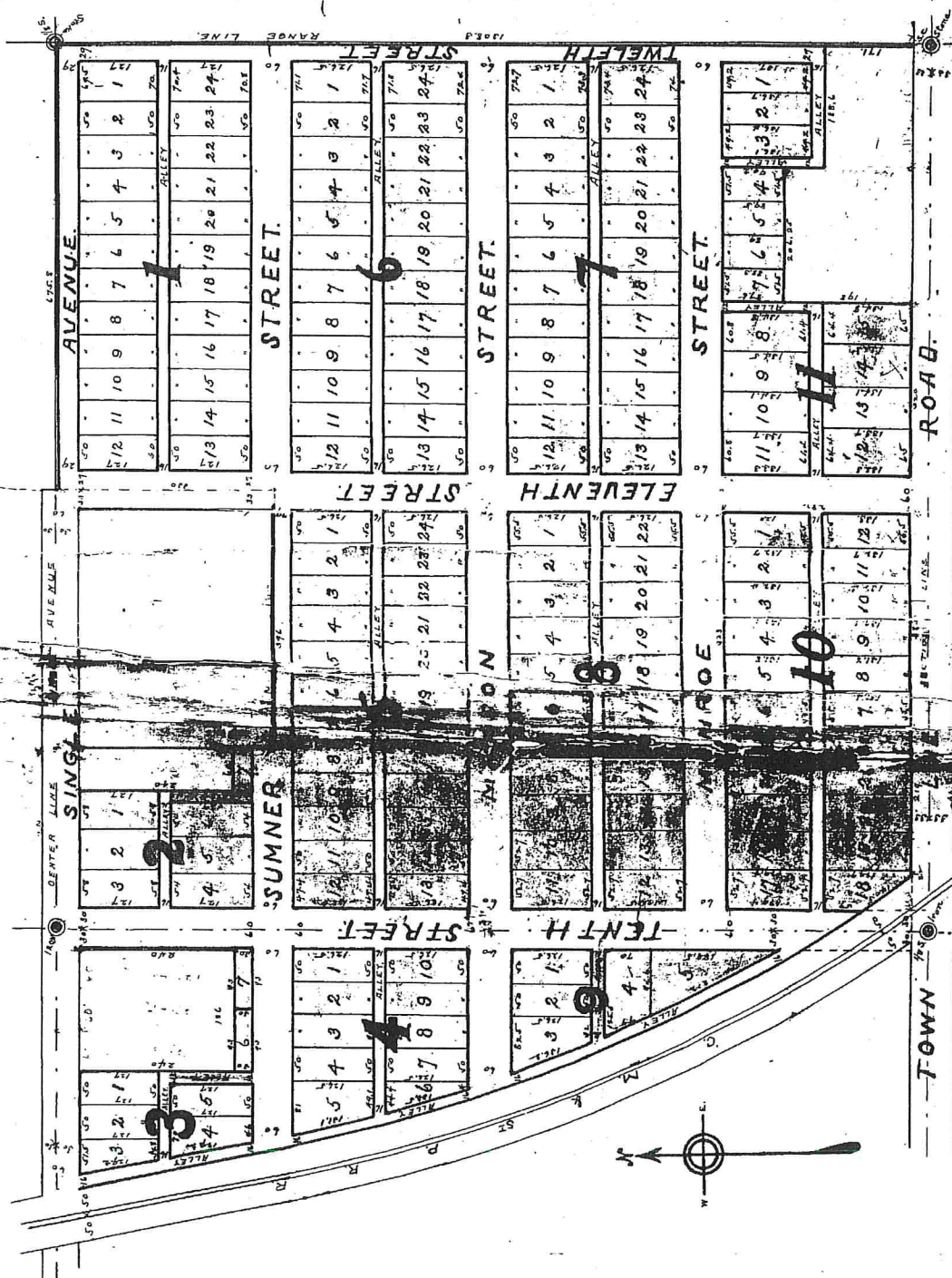
Exhibit B

for Resolution Regarding Vesting
monies, between 17th & 13th. Jth.
Dec 1st 4:20 of Reeds. page 291
Andrew Miller, Register.

for Resolution meeting, May
1940, at 9, the 1-5-10-15-20-25-30-35-40-45-50-55-60-65-70-75-80-85-90-95-100-105-110-115-120-125-130-135-140-145-150-155-160-165-170-175-180-185-190-195-200-205-210-215-220-225-230-235-240-245-250-255-260-265-270-275-280-285-290-295-300-305-310-315-320-325-330-335-340-345-350-355-360-365-370-375-380-385-390-395-400-405-410-415-420-425-430-435-440-445-450-455-460-465-470-475-480-485-490-495-500-505-510-515-520-525-530-535-540-545-550-555-560-565-570-575-580-585-590-595-600-605-610-615-620-625-630-635-640-645-650-655-660-665-670-675-680-685-690-695-700-705-710-715-720-725-730-735-740-745-750-755-760-765-770-775-780-785-790-795-800-805-810-815-820-825-830-835-840-845-850-855-860-865-870-875-880-885-890-895-900-905-910-915-920-925-930-935-940-945-950-955-960-965-970-975-980-985-990-995-1000-1005-1010-1015-1020-1025-1030-1035-1040-1045-1050-1055-1060-1065-1070-1075-1080-1085-1090-1095-1100-1105-1110-1115-1120-1125-1130-1135-1140-1145-1150-1155-1160-1165-1170-1175-1180-1185-1190-1195-1200-1205-1210-1215-1220-1225-1230-1235-1240-1245-1250-1255-1260-1265-1270-1275-1280-1285-1290-1295-1300-1305-1310-1315-1320-1325-1330-1335-1340-1345-1350-1355-1360-1365-1370-1375-1380-1385-1390-1395-1400-1405-1410-1415-1420-1425-1430-1435-1440-1445-1450-1455-1460-1465-1470-1475-1480-1485-1490-1495-1500-1505-1510-1515-1520-1525-1530-1535-1540-1545-1550-1555-1560-1565-1570-1575-1580-1585-1590-1595-1600-1605-1610-1615-1620-1625-1630-1635-1640-1645-1650-1655-1660-1665-1670-1675-1680-1685-1690-1695-1700-1705-1710-1715-1720-1725-1730-1735-1740-1745-1750-1755-1760-1765-1770-1775-1780-1785-1790-1795-1800-1805-1810-1815-1820-1825-1830-1835-1840-1845-1850-1855-1860-1865-1870-1875-1880-1885-1890-1895-1900-1905-1910-1915-1920-1925-1930-1935-1940-1945-1950-1955-1960-1965-1970-1975-1980-1985-1990-1995-2000-2005-2010-2015-2020-2025-2030-2035-2040-2045-2050-2055-2060-2065-2070-2075-2080-2085-2090-2095-2100-2105-2110-2115-2120-2125-2130-2135-2140-2145-2150-2155-2160-2165-2170-2175-2180-2185-2190-2195-2200-2205-2210-2215-2220-2225-2230-2235-2240-2245-2250-2255-2260-2265-2270-2275-2280-2285-2290-2295-2300-2305-2310-2315-2320-2325-2330-2335-2340-2345-2350-2355-2360-2365-2370-2375-2380-2385-2390-2395-2400-2405-2410-2415-2420-2425-2430-2435-2440-2445-2450-2455-2460-2465-2470-2475-2480-2485-2490-2495-2500-2505-2510-2515-2520-2525-2530-2535-2540-2545-2550-2555-2560-2565-2570-2575-2580-2585-2590-2595-2600-2605-2610-2615-2620-2625-2630-2635-2640-2645-2650-2655-2660-2665-2670-2675-2680-2685-2690-2695-2700-2705-2710-2715-2720-2725-2730-2735-2740-2745-2750-2755-2760-2765-2770-2775-2780-2785-2790-2795-2800-2805-2810-2815-2820-2825-2830-2835-2840-2845-2850-2855-2860-2865-2870-2875-2880-2885-2890-2895-2900-2905-2910-2915-2920-2925-2930-2935-2940-2945-2950-2955-2960-2965-2970-2975-2980-2985-2990-2995-3000-3005-3010-3015-3020-3025-3030-3035-3040-3045-3050-3055-3060-3065-3070-3075-3080-3085-3090-3095-3100-3105-3110-3115-3120-3125-3130-3135-3140-3145-3150-3155-3160-3165-3170-3175-3180-3185-3190-3195-3200-3205-3210-3215-3220-3225-3230-3235-3240-3245-3250-3255-3260-3265-3270-3275-3280-3285-3290-3295-3300-3305-3310-3315-3320-3325-3330-3335-3340-3345-3350-3355-3360-3365-3370-3375-3380-3385-3390-3395-3400-3405-3410-3415-3420-3425-3430-3435-3440-3445-3450-3455-3460-3465-3470-3475-3480-3485-3490-3495-3500-3505-3510-3515-3520-3525-3530-3535-3540-3545-3550-3555-3560-3565-3570-3575-3580-3585-3590-3595-3600-3605-3610-3615-3620-3625-3630-3635-3640-3645-3650-3655-3660-3665-3670-3675-3680-3685-3690-3695-3700-3705-3710-3715-3720-3725-3730-3735-3740-3745-3750-3755-3760-3765-3770-3775-3780-3785-3790-3795-3800-3805-3810-3815-3820-3825-3830-3835-3840-3845-3850-3855-3860-3865-3870-3875-3880-3885-3890-3895-3900-3905-3910-3915-3920-3925-3930-3935-3940-3945-3950-3955-3960-3965-3970-3975-3980-3985-3990-3995-4000-4005-4010-4015-4020-4025-4030-4035-4040-4045-4050-4055-4060-4065-4070-4075-4080-4085-4090-4095-4100-4105-4110-4115-4120-4125-4130-4135-4140-4145-4150-4155-4160-4165-4170-4175-4180-4185-4190-4195-4200-4205-4210-4215-4220-4225-4230-4235-4240-4245-4250-4255-4260-4265-4270-4275-4280-4285-4290-429

For Certificates of Survey,
Ownership and Approval, see back
of this page.

No. 139200.
Received for Record this 20th
day of July, 1911, at 1 o'clock P. M.,
John E. Seale,
Registrar.



State of Wisconsin ss.
County of Marathon

This is to certify that by the order and direction of Theophilus H. Smith, and Johnson Bros. and Johnson Company a Wisconsin Corporation the owners of the following described land, I have surveyed and platted the same, to wit: a part of the 32d of the 1st and a part of Government Lot No. 5, in Section 36, Township 29, North Range 7, East of the 4th E. 1 and situated in the city of Wausau, Marathon County, Wisconsin; said plat to be known as "Plat of the boundaries of said plat being as follows:
Beginning at a point on the North line of the Town Line Road 171 feet North of the Southeast corner of said section 36 and 1 foot west of the Range Line and running thence West 186.5 feet, thence North 50.9 feet, thence West 206.25 feet, thence South 108 feet to the North line of the Town Line Road, thence West on the North line of said road 672 feet to the East boundary line of the Chicago, Milwaukee & St. Paul Railroad right of way, thence North along the East boundary line of said right of way 1535 feet, thence North along the East boundary line of the South line of 8385 feet to the South line of Single Avenue, parallel with the 1/8 section line 240 feet, thence East parallel with the center line of Single Avenue 165 feet to a point 660 feet East of the 1/8 section line, thence North parallel with the 1/8 section line 240 feet to the South line of Single Avenue, thence East along the South line of Single Avenue 234 feet, thence South parallel with the 1/8 section line 60 feet, thence South parallel with the 1/8 section line 61 feet, thence East 396 feet to a point 660 feet East of the 1/8 section line, and 331 feet South of the center line of Single Avenue, thence North parallel with the 1/8 section line 330 feet to a point on the North line of the Single Avenue 675.8 feet to a point one foot South and one foot West of the corner on the Range line, thence South parallel with the East line 1137.8 feet to the point of beginning. That the map hereto attached is a correct representation of the exterior boundaries of the land surveyed and platted and of the divisions thereof made, and that in surveying, subdividing and plating the same I have complied with the laws of the State of Wisconsin.

Dated Wausau, Wis, this 29th day of May A. D. 1911.

W. H. Goven.
Surveyor.

State of Wisconsin ss.
County of Marathon

This is to certify that we, Theophilus H. Smith and Anderson Bros. and Johnson Company a Wisconsin Corporation are the owners of the land described in the foregoing certificate of W. H. Goven, and did cause the said land to be surveyed and platted as shown on the map hereto attached. In testimony whereof we have hereunto signed our name and affirmed our seals this 6th day of June A.D. 1911.

In presence of:
Elizabeth Anderson.
Otto G. Fehlbauer.
(Anderson Bros. & Johnson Company)
(Corporate Seal)
(Marquette Heights)
Theophilus H. Smith. (Seal)
Anderson Bros. and Johnson Company
By Charles E. Johnson President
(Marquette Heights) Attest Orlof Anderson Secretary

State of Wisconsin ss.
County of Marathon

Appeared before me this 6th day of June A. D. 1911, the above-named Theophilus H. Smith, Charles E. Johnson and Orlof Anderson to me personally known and acknowledged the foregoing certificate to be their free act and deed and the free act and deed of said Anderson Bros. & Johnson Company for the uses and purposes herein mentioned.

Otto G. Fehlbauer.
(Notary Public My Commission expires January 2nd 1915.
Marathon Co. Wis.)

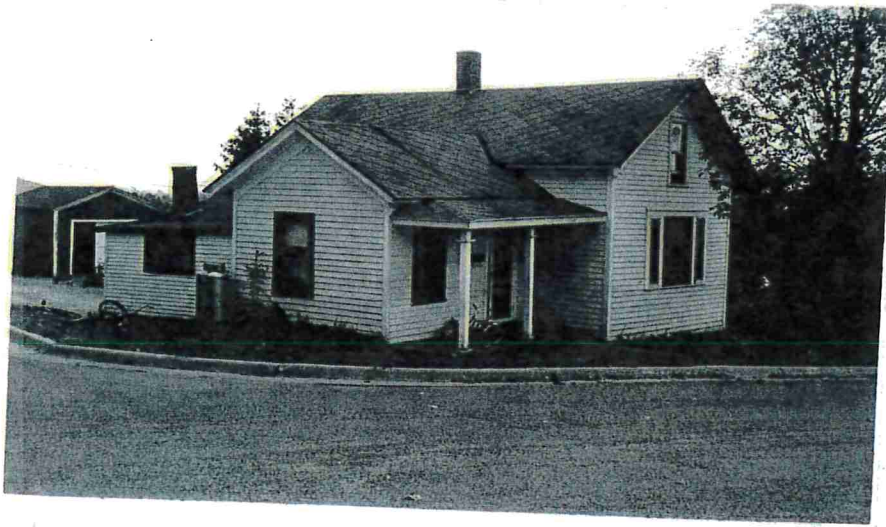
State of Wisconsin) City of Wausau--ss.
County of Marathon)

I, J. J. Lehmer City Clerk in and for the City of Wausau, county and state aforesaid, do hereby certify that Theophilus H. Smith and Anderson Bros. & Johnson the owners, submitted the foregoing certificate to the Common Council of the City of Wausau for its approval, and that at a regular meeting of said Council held on the 28th day of June 1911 said plat was approved by the Common Council of the City of Wausau by the adoption of the following resolution: "Be it Resolved by the Common Council that the plat showing subdivision of Park Addition to the City of Wausau be accepted and adopted."

Signed Fred Dehr
I further certify that I have carefully compared the above copy of said resolution with the original on file in my office and that the same is a true and correct copy thereof and of the whole thereof.
In Witness Whereof I have hereunto set my hand and caused the corporate seal of said City of Wausau to be affixed this 29th day of July 1911.

(City of Wausau)
(Marathon Co)
(Wisconsin)
J. J. Lehmer
City Clerk.

• OCT 68



1117 Single Avenue

40 115 484 118
477 505 PART OF SE SE
CORNER AT INTERSECTN OF S LINE OF
SINGLE AVE & W LINE OF 12TH ST
W 52 FT S 135 FT E 52 FT N 135
FT TO REG SEC 36 29 7

Exhibit C

SINGLE AV

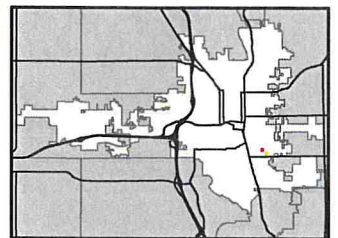
1974 Airphoto

City of Wausau / DPW

Date Printed: 7/1/2022

0 0 0
mi

■ Municipal Boundaries
■ Parcel



NOTES:

1. Duplication of this map is prohibited without the written consent of the City of Wausau DPW / GIS 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. City of Wausau
Public Works / GIS Division
407 Grant St
Wausau, WI 54403
www.ci.wausau.wi.us

1117

S 12TH ST

Exhibit D

Ayres Associates Inc
Geospatial Division
5201 E Terrace Dr, Suite 200
Madison, WI 53718
(608) 443-1200
www.ayresassociates.com, City of Wausau
407 Grant St
Wausau, WI 54403
(715) 261-6740
www.ci.wausau.wi.us

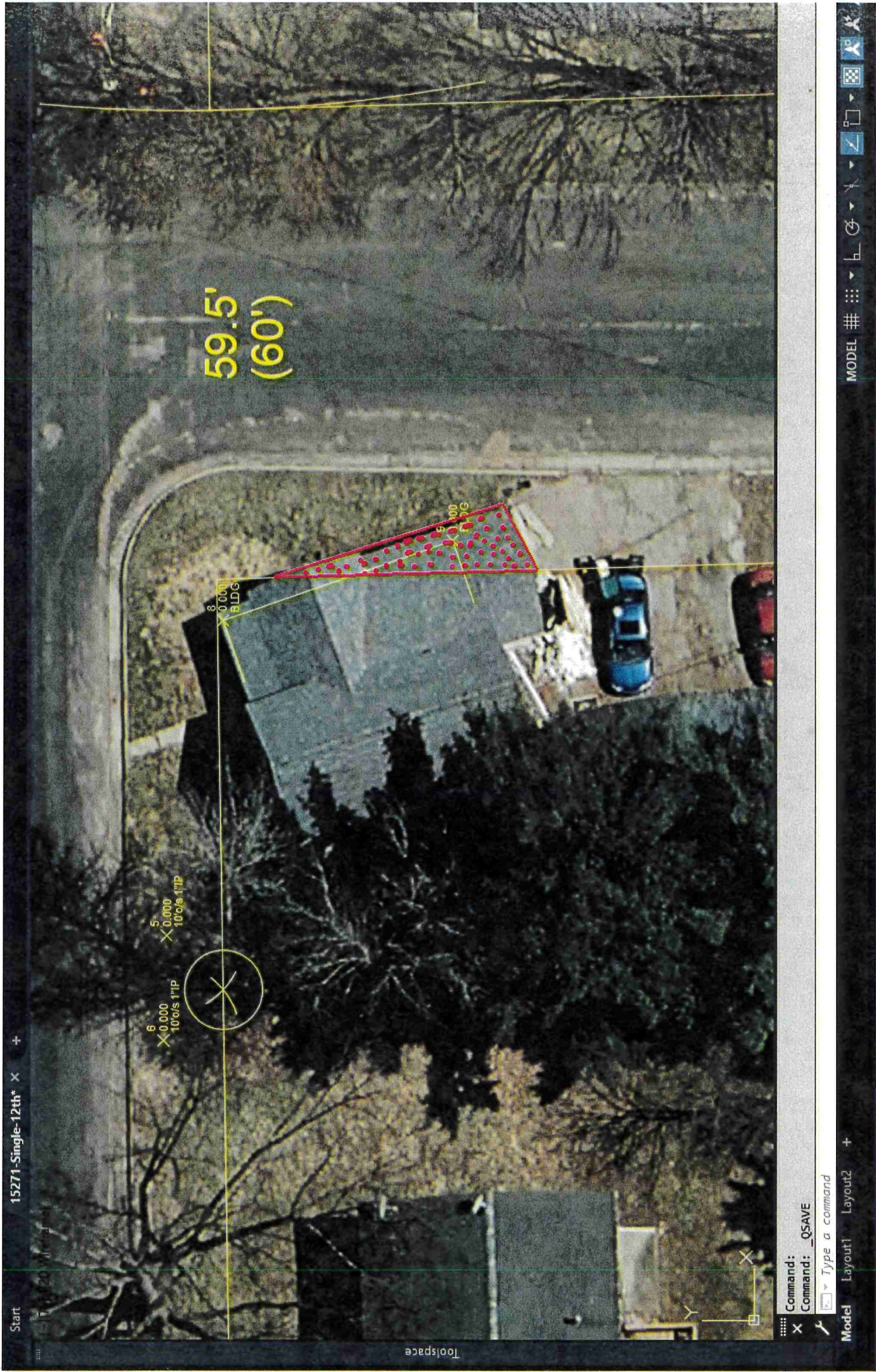


Exhibit E

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

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

Vacating and discontinuing a portion of South 12th Street between Single Avenue and Sumner Street, just adjacent to 1117 Single Avenue.

Committee Action:

Fiscal Impact: None

File Number:

Date Introduced:

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 of Wausau recently discovered that the property located at 1117 Single Avenue, has a front enclosed porch with an overhang and the eastern wall of the house that encroaches into the right-of-way; and

WHEREAS, after research of the City's records by the City Attorney's Office, it has concluded that the house was built in 1890, and therefore the City Attorney believes the property owner has adversely possessed this portion of the right-of-way, containing the eastern wall of the house and supports vacation of the same; and

WHEREAS, further investigation by the City Attorney's Office reveals that a front porch connected to the house also encroaches the right-of-way, and was built sometime between October 1968 and 1974, and therefore the City Attorney's Office also believes the property owner has adversely possessed this portion of the right away as well, and supports vacation of the same; and

WHEREAS, although the current version of Wisconsin Statute 893.29 does not allow adverse possession by or against the state or political subdivision, previous versions of the statute did allow it, which is the law that applies; and

WHEREAS, the exact description of the portions of the right-of-way to be vacated and discontinued on South 12th Street in the City of Wausau:

Part of the S. 12th Street right-of-way (platted as Eleventh Street) and lying Westerly of Block 1, Pleasant View Park, being part of the Southeast ¼ of the Southeast ¼, Section 36, Township 29 North, Range 7 East, City of Wausau, Marathon County, Wisconsin, described as follows:

Commencing at the Northwest corner of said Block 1; thence West, 60 feet to the intersection of the South right-of-way of Single Avenue and the West right-of-way of S. 12th (platted as Eleventh Street); thence S°0 00'00" E, along said West right-of-way, 12 feet to the point of beginning;

Thence S 18°00'00" E, 28 feet; thence S 72°00'00" W, 9.10 feet to said West right-of-way; thence N°0 00'00" W, along said West right-of-way, 29.44 feet to the point of beginning.

WHEREAS, your Capital Improvements and Street Maintenance Committee, after considering the matter and the memorandum prepared by the City Attorney's Office, have recommended that the aforescribed portion of the right-of-way be vacated and discontinued; and

NOW THEREFORE BE IT RESOLVED, that the City Attorney's Office's findings and conclusions regarding the vacation of this piece of the South 12th Street right-of-way, as set forth in the attached memorandum dated July 1, 2022, are adopted by the Common Council and incorporated herein by reference; and

BE IT FURTHER RESOLVED, the Common Council of the City of Wausau hereby discontinues and vacates the herein described right-of-way, to the extent to avoid any potential conflict under the law, any property interest it may have; and

BE IT FURTHER RESOLVED, under Wisconsin Statute 66.1005(2), all easements or incidental rights within the vacated street areas are perpetuated as part of this vacation, together with permanent access, construction and maintenance easements retained over the entire vacated street areas for perpetual public infrastructure rights relative, but not limited to, existing public storm sewer and drainage, sanitary sewer, water main and any potential future need for re-establishment of public street; and

BE IT FURTHER RESOLVED, under Wisconsin Statute 66.1005(1), reversionary rights of the vacated portion of the South 12th Street public right-of-way will attach entirely to the adjacent property of 1117 Single Avenue (291-2907-364-0901); and

BE IT FURTHER RESOLVED, that the City Clerk shall record a certified copy of this resolution accompanied with a map showing the location of said partially vacated right-of-way in the Office of the Register of Deeds for Marathon County, and that the City Clerk shall notify the City Engineer as to when this resolution has been recorded.

Approved:

Katie Rosenberg, Mayor



SINGLE AV

S 12TH ST

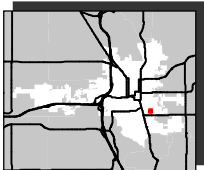


0 12.5 25 50 Feet
Map Date: July 22, 2022

CITY OF WAUSAU

Marathon County, Wisconsin

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



AGENDA ITEM

Discussion and possible action to consider site selection for a new Fleet Maintenance Facility

BACKGROUND

Staff has continued to gather data to narrow down a site location. Based on scores, and location of sites more closely looked at over the past 3-years, staff has prepared a table of preliminary estimates for each site to show the likely cost differences looking at these locations.

Site purchase costs were determined using an assessment cost provided by the assessor's office. This way the costs can be compared using the same baseline cost. It is likely the actual selling cost of the property will be higher, but this provides a level overall comparison of costs for each site.

The sites selected are primarily due to the Site Ranking scores. The one exception is our current site, we elected to keep this in as an option as we have done some extensive evaluation on the site already.

Based on the discussion at the last meeting we are focused only on a new facility maintenance shop which would include some storage, truck wash and fuel island; the remainder of the DPW Street Division would remain at its current location.

We continue to look at the West Street properties but have not begun any design work until we have a site selected by the council. I have spoken with the owner of Wausau Manufacturing (old iron works site) and he is willing to provide a walkthrough of the facility and said he is open to discussing the sale of the property. Staff will pursue gathering more details of the West St property and determining what a potential purchase price may be. If after the site walk through staff feels this could be a viable option, we would pursue completing a Phase I Environmental Survey. Once prices are finalized and cost comparisons finalized staff will present to the finance committee for consideration.

FISCAL IMPACT

Possible future property purchase depending on site selection.

STAFF UPDATE

Staff is looking for direction from CISM to move forward with pursuing the West St site, finalizing estimates for purchase and a possible Phase I Survey. Cost comparisons are proposed to be brought to finance for consideration as next steps.

Staff contact: Eric Lindman 715-261-6745

Fleet Maintenance Facility Site Location - Estimate Comparison					
	^{1,2} Exiting DPW	¹ West St - Wausau Mfg	³ County N	³ County Z	^{3,4} County Z&X
Fleet Facility Construction	\$10,753,763	\$10,753,763	\$10,753,763	\$10,753,763	\$10,753,763
Site Development	\$588,000	\$596,400	\$999,400	\$994,000	\$994,900
Water & Sewer	\$50,000	\$50,000	\$300,000	\$400,000	\$600,000
Demolition	\$220,000	\$1,500,000	\$0	\$0	\$100,000
Environmental	\$200,000	\$500,000	\$100,000	\$100,000	\$30,000
Property Purchase	\$795,300	\$425,000	\$323,000	\$370,500	\$370,500
Total =	\$12,607,063	\$13,825,163	\$12,476,163	\$12,618,263	\$12,849,163
Site Ranking =	23	26	24	26	26

¹The purchase price is based on assessed value

²Assuming the purchase of 9-properties

³The purchase price calculated using assessment rate

⁴Property is outside city limits

Agenda Item No.

6

STAFF REPORT TO CISM COMMITTEE – August 11, 2022

AGENDA ITEM
Construction update for 2022 projects
BACKGROUND
Staff will give an update and answer questions on current construction projects.
FISCAL IMPACT
N/A
STAFF RECOMMENDATION
For discussion only.
Staff contact: TJ Niksich 715-261-6748