



## 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.

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|-----------------|------------------------------------------------------------------------------------|
| Meeting of the: | <b>CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE OF THE CITY OF WAUSAU</b> |
| Date/Time:      | <b>Thursday, November 10, 2022 at 5:15 p.m.</b>                                    |
| Location:       | <b>City Hall (407 Grant Street, Wausau WI 54403) - COUNCIL CHAMBERS</b>            |
| Members:        | Lou Larson (C), Doug Diny, Gary Gisselman, Chad Henke, Lisa Rasmussen              |

### AGENDA ITEMS FOR CONSIDERATION

1. Approval of minutes of the October 13, 2022 meeting.
2. Discussion and possible action on preliminary resolution levying special assessments for 2023 Street Construction Projects.
3. 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](mailto: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 agendized, 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 11/03/22 @ 10:00 a.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](mailto: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, Scholfeld Group, Clark Dietz, Inc., Brown and Caldwell.

## CAPITAL IMPROVEMENTS AND STREET MAINTENANCE COMMITTEE

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Date of Meeting: October 13, 2022, at 5:15 p.m. in the Council Chambers of City Hall.

Members Present: Lou Larson, Doug Diny, Chad Henke, Lisa Rasmussen (Gary Gisselman was excused.)

Also Present: Eric Lindman, Allen Wesolowski, TJ Niksich, Tara Alfonso, Cord Buckner, 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.

### **Approval of minutes of the September 8, 2022 meeting**

Diny moved to approve the minutes of the previous meeting. Henke seconded and the motion carried unanimously 4-0.

### **PUBLIC HEARING: Discussion and possible action on amending the Official City Map for the realignment of 28<sup>th</sup> Avenue from Hilltop Avenue to West Wausau Avenue**

C. Ann Dietrich, 3024 N 10<sup>th</sup> Street, appeared regarding Wausau Child Care. A long time ago she saw a map that changed their access. She questioned if this would change the access to the building off 28<sup>th</sup> Avenue.

Roland Corsten, 806 North 29<sup>th</sup> Avenue, owns property adjacent to the road where the highway was proposed to run through. He questioned what the final plans are and if anything has changed from the original plans.

Tim Holzem, 724 North 29<sup>th</sup> Avenue, said there is an easement that cuts off the corner of his property. He asked if that would not exist anymore with this amendment.

There were no further public comments, and the public hearing was closed.

### **Discussion and possible action on amending the Official City Map for the realignment of 28<sup>th</sup> Avenue from Hilltop Avenue to West Wausau Avenue**

Wesolowski explained that originally the County had planned a four-lane roadway. The County has since abandoned their plans. The City is looking to go to a two-lane roadway. Staff looked at the right-of-way needed to maintain a two-lane roadway. This amendment proposes to remove some of the property from the Official City Map. The existing right-of-way is adequate to build a two-lane facility and there is no need to map additional property in this area. On 29<sup>th</sup> Avenue there were a couple of corners of properties that had Official City Mapping; that is proposed to be removed. Staff is confident this can be built without mapping these two parcels. Regarding Wausau Child Care, at this point staff does not anticipate the access changing.

Larson asked about the timeframe. Wesolowski indicated there is no timeframe. Engineering will bring this item back. By approving this amendment, we still have the corridor to do a two-lane roadway.

Rasmussen feels this represents the best-case scenario under the circumstances. The County disappointed us with their reversal of plans for County Highway R and related infrastructure. We planned roadways and stormwater plans around that project and they pulled the plug. Reserving a narrow strip keeps our options open and removes encumbrances on private property.

Rasmussen moved to approve the amendments to the Official City Map. Seconded by Henke.

Henke asked if the two lots would be square again and all easements done. Wesolowski confirmed the Official City Mapping would be removed from those two lots. Henke receives a lot of calls on this road. It is in rough

shape and he feels we should prioritize upgrading. Wesolowski plans to bring back alternatives and options in the next couple of months.

There being a motion and a second, motion to approve carried unanimously 4-0.

### **Discussion and possible action on parking restrictions on Cedar Street between North 3<sup>rd</sup> Avenue and North 4<sup>th</sup> Avenue**

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Wesolowski noted that parking restrictions were just enacted in April; however, petitions were submitted, and the church would like the parking restrictions from November 1<sup>st</sup> to April 1<sup>st</sup> removed. The church is okay with the no parking here to corner.

Per Rasmussen, when this was designated in April, it was due to a request from the neighborhood to solve traffic and parking issues, especially in the winter when the road narrows. DPW has a hard time getting the plow through with cars on both sides. There was trouble with garbage collection with cars parked on both sides. This is why the committee agreed to make the restriction during the snow season. For the other seven months they can park there. Buckner and Wesolowski had looked at it and she thought they reached out to the church. The church's request at the time was to preserve and protect the loading zone to drop off people who need to gain access to the elevator. When she looked at the petitions received, she noticed 80% of the people do not reside in District 8. This is a problem for people living here. The designated handicap access point is on the north side of the building in the parking lot. Watson toured the facility and the access available from the north side is the safest place for people to unload and access the building versus trying to do so in the street where there is no access isle or accommodations. She is concerned that we have not even tried this for one winter. Larson agrees. Restrictions were recently placed on Grant Street because of the same issue. Parking on both sides makes it difficult for emergency vehicles. Henke mentioned that Watson had sent an email basically paraphrasing what Rasmussen and Larson just said. Henke then read the email as written.

According to the petition, Diny feels there is conflict between what has been said and what the church is expressing. It seems that they are indicating their only access is from Cedar Street.

Sherry Abitz, 1201 South 7<sup>th</sup> Avenue, is not a member of the church but was approached by one to help get this resolved. There is no issue with no parking from the loading zone to the corner. The issue is with the seasonal parking from the loading zone to 4<sup>th</sup> Avenue and access to the elevator. When this was originally approved, Jim Wadinski noted that seasonal parking was not mentioned in the packet, and it was approved anyway. She asked why it was added into the discussion. Monday through Friday the only entrance to the church is from Cedar Street. They have church service on Thursdays. If there is a funeral scheduled at the same time, there is no access to get to the elevator. They would have to go through the sanctuary to get to the elevator. She questioned why it was decided to have no parking on that side of the road making it difficult for elderly and people with disabilities. Normally there are only two cars that park on the other side of the street. This forces people to park on the other side and cross the street. It is a safety hazard and not in accordance with ADA. If parking in the main parking lot in the back, they would have to walk a block around the church to have access to the elevator. In the winter they will have to deal with inclement weather. She feels no parking back to corner from the loading zone gives enough area for plows and trucks to make the corner.

Debra Kluetz, 2711 Weiland Avenue #2, Weston, is the parish administrator. People come to the church on a daily basis; usually members of the congregation but there are visitors as well. The decision to remove parking on the north side of Cedar Street poses a definite inconvenience to the congregation. The door on Cedar Street is the main entrance during the week. All other doors are locked except for Sunday worship or if a funeral or wedding is scheduled. The Cedar Street entrance has a security system and people must be buzzed in. This is the entrance where the elevator is located and is crucial for those who need help to get from floor to floor. Deliveries are also made at this entrance. An average month hosts committee meetings, church council meetings, women's circle meetings, book club, quilters and many more. Every Friday evening they host a local narcotics anonymous group that uses the Cedar Street entrance. The church has a food pantry and those who need the pantry use the Cedar Street entrance. No parking on the north side would deeply impact all, especially during the winter. She hopes the parking restrictions are reconsidered.

Sharon Hunter, 231256 Shenandoah Ridge Road, is the Vice President of the church council. She noted 100 members of the congregation did sign the petition because they are coming and going to the church during the week to attend meetings and participate in activities. They park on the south side of the church because the doors are locked on the north side. It is very important to consider that they are willing to have parking signs from the loading zone to 3<sup>rd</sup> Avenue. She understands the importance for the plows to get through and garbage to be picked up. They do not understand why there needs to be parking restrictions west of the loading zone. When this was passed in April, they were under the impression there were not going to be signs west of the loading zone. That is why no one attended that meeting. They are asking to reconsider so members have safe access to the church. If nothing else, she requested 2 handicap parking spots west of the loading zone.

Rasmussen said this is a large congregation with high volume activity, which is why parking has become a problem on the street. She noted that once a plow comes around the corner, it is stuck there. Same thing for the garbage truck. She questioned how often there is conflict between church activities and events in the sanctuary. There is ample parking in the north parking lot. A couple years ago we were asked by Marathon Electric to designate handicap parking stalls on Randolph Street. It was denied partially because they have a parking lot they could do it in, but also because there was no effective way we could designate safe handicap zones. We would have to cut into the curb and create access isles, which is expensive. The municipality does not have a duty to provide handicap parking stalls on the street when a facility has off street parking. She has concerns over not even trying the new restrictions.

Diny asked if there were any discussions in the past on designating the south side. With this information, Diny is inclined to change his mind. Hunter added there are only two residents on the south side, and both have driveways where their cars can park. Rasmussen thought part of the discussion was their ability to see when exiting their driveways and to get their garbage picked up. Wesolowski believes part of the reason was to keep it all continuous on one side. The packet did not show the other side as proposed for no parking. He would hesitate to put no parking on the other side at this meeting as it was not presented that way.

Rasmussen said seven months of the year this is not a problem. Her understanding was that Alder Watson's residents were complaining that both sides were parked full. Regardless of where we take parking from, we are upsetting people's current parking arrangements. Someone will have to modify their behavior either way. Larson feels if this is moved to the other side it should be at another meeting. He agrees with Rasmussen that this hasn't been tried and it comes with a recommendation from the alder for the district. Rasmussen feels this can be reviewed once we have a winter with trash collection and snow removal.

Diny asked what it would take to survey the other side of the street. The highest traffic area is the church side. Rasmussen again stated we should at least wait to see how it works before redirecting. Diny noted that we do not always have 100 people asking for reconsideration.

Diny moved to look at changing the parking restrictions to the south side and bring this back to the next meeting. Seconded by Henke and the motion failed 1-3 with Rasmussen, Larson, and Henke the dissenting votes.

Staff was directed to monitor this situation for the winter and report back in spring.

### **Discussion and possible action on parking restrictions on Single Avenue, Prospect Avenue to Genrich Street**

Wesolowski indicated parking signs currently exist but are not in ordinance. Approval would align the code with existing signage.

Rasmussen moved to approve. Seconded by Diny.

Henke asked who put the signs in. Wesolowski replied they were placed by DPW.

There being a motion and a second, motion to approve carried unanimously 4-0.

### **Discussion and possible action on parking restrictions on Excelsior Drive south of Single Avenue**

Wesolowski met with the resident from 817 Single Avenue, which is on the corner of Single and Excelsior Drive. Excelsior Drive does not have curb and gutter.

Ryan Hawkins, 817 Single Ave, is having an issue with the park not having parking. People park in front of his driveway and he cannot get out. There are also parking issues when Bull Falls Brewery has events. When vehicles are parked here, semis cannot get through. They have to overturn and come into his yard. Semis have also taken out the stop sign. Wesolowski agreed that it is a difficult turn for semis and verified the stop sign has been knocked down.

Henke asked if he was the only house with a driveway onto Excelsior. Hawkins stated there are two residences and two business. Hawkins added there is no drainage and issues with flooding.

Larson would have a problem with this. He lives in a district where a lot of streets do not have curb and gutter and have the same problem of no drainage and people parking on the grass. He would hate to set a precedent. He feels there are other ways to rectify, such as calling PD or others have put up reflective poles. Hawkins said issues are more so across the street. People dump trash. Cars park there during Bull Falls events. Semis cannot get through and come through his yard. He has two little kids that like to play in the yard.

Rasmussen asked the width of the right-of-way. Wesolowski believes it is 20' to 24'. Rasmussen is concerned with the truck turning movements and impacts to the stop sign. If truck traffic cannot get through there would be the same trouble with snow removal. We have to be able to service the street and the residents have to be able to access their property. She would support restrictions because it is so narrow.

Henke asked if this would be just on the railroad side. Wesolowski noted the original request was to restrict parking on both sides.

Diny noted the grass strip in front of the sidewalk by the park and questioned if it would be easier to make parking for the park. The problem was probably invented by the design of the park. Rasmussen said it is a neighborhood park. Wesolowski added it was a remnant parcel that Community Development obtained. The thought was most people would walk to the park.

Henke moved to approve no parking on Excelsior Drive south of Single Avenue. Seconded by Rasmussen and the motion carried unanimously 4-0.

### **Discussion and possible action on alternatives relating to improvements in undeveloped city right-of-way adjacent to 1100 Highland Park Boulevard including the possible grant of an easement agreement with Mathew Aschbrenner and Kristen Aschbrenner**

Larson mentioned the letter in the packet from Rick Rubow and asked if they will be assessed for the structure built on City land. Alfonso said per the memo, the Assessment Department will pick the improvements up and assess. The value of the land is nominal.

Rasmussen said there are only two choices; either grant the easement and assess or do not grant the easement and require them to tear it down.

Kathie Iselin, 1010 Everest Boulevard, read through the packet and saw the comment about neighbor against neighbor. She does not want this to be Hatfield against McCoy. She thought she had reassured the Aschbrenner's that she would not petition to have this removed. After she purchased her property, she had it surveyed. The surveyor discovered the encroachment and reported it to the Engineering Department. Initially she was told if the area was vacated half would go to each adjoining property. Her lot is shallow and she thought this would give her a little more land. Then when she met with Engineering, she was told she would not get half and it would all go to Aschbrenner. One of her options would be to have the area vacated and purchase property from Aschbrenner. She mentioned this to Aschbrenner but never heard back. She felt it would be better if the City owns the land

rather than vacating. She is fine with going ahead with the easement but would prefer it is not transferable by owner. She further explained that in June she met with a plumber and excavator as she was concerned she had clay pipes. The excavator told her the trench would be 5' deep and 3' wide and would take a good part of the bamboo hut and some landscaping. When she found out the amount of damage excavating would do and found her pipes were iron and intact, she decided not to replace her pipes. However, her house is 83 years old and eventually the hut might have to go. She is trying to be a good neighbor and wants a peaceful resolution.

Diny asked if utilities go through this area. Wesolowski confirmed there is a sanitary sewer line. Diny said from the road it looks like another building is being built. He asked if that was a permanent structure and if it affects this in any way.

Mathew Aschbrenner explained this basically came about because there was a fence that existed that Iselin wanted to take down. There is a paved walkway that likely was built in 1954. When he bought the property, there was a fence and overgrown landscaping in this area. They cut the overgrown landscaping multiple times and because it was invasive species, they decided to upgrade the landscaping. Because there was a walkway and fence, there was an assumption it was part of their property. When they went forward with their landscaper, they said he did not need permits. He has no issues if someone needs to come in to do repairs on the sewer, but he questioned the easement saying things have to be restored. If he has to take the improvement down, he expects the City to maintain the area. He has no issue with being assessed for the improvements if an easement is approved. He had asked Hebert about building a treehouse. He was told if it was less than 16' high no permit was needed. He noted that the recent landscaping done at 1010 Everest also encroaches the right-of-way. Clearly people upgrade their properties and get permits when feel necessary.

Rasmussen said the committee agreed to grant the easement because an investment was made, then at Council it was discussed that shortly prior to construction Revi inquired to the status of the situation. She believes they were told there was a right-of-way and they were not allowed to build there but proceeded without permits. The contractor was aware of the right-of-way and built the tea house anyway.

Aschbrenner said Revi thought the tea house was on the edge of their property. There was a fence there so they thought that was the property line. Rasmussen feels that is understandable as it does look like a back yard. Revi does a lot of work and is smart enough to know when to ask questions. Anytime one works close to a lot line, you always have to check to make sure there are not setback issues. Aschbrenner said they are just owners trying to improve their property. This may be the fault of Revi, but there have been other landscapers in the same area doing improvements. Rasmussen does not doubt that it happens as retaining walls, sprinkler systems and the like are always found in the right-of-way during road construction projects. Discussion followed.

Rasmussen moved to approve the easement with the clear communication that there be no additional construction within the right-of-way. Seconded by Henke.

Diny believes there is a lot of well-intended activity that lead to this. If Alfonso feels the City is made whole and protected, he agrees with this. Alfonso said it was not up to her to decide whether or not there are any additional costs other than the assessments outlined. There is no cost to the City to do this. Alfonso would like clarification regarding transferring the easement to the next owner. Rasmussen feels it has to transfer as the only other option is removal. Knowing the easement is granted and it is not to look any different than now, is a safeguard for both neighbors. Henke asked if the easement is just for the building. Wesolowski explained the easement encompasses the whole right-of-way.

There being a motion and a second, motion to approve passed 3-1 with Henke the dissenting vote.

**Discussion and possible action on final approval of Assessor's Plat No. 7 (901 Townline Road, 1309 Torney Avenue, 1315 Torney Avenue, and 1321 Torney Avenue)**

Torney Avenue is being reconstructed. When creating the plans, it was found the plat did not match up with the existing lots. An Assessor's Plat was created to fix the issue. Notices were sent out and no suits were filed, meaning there were no objections to the Assessor's Plat.

Rasmussen moved to approve. Seconded by Henke and the motion carried unanimously 4-0.

#### **Discussion and possible action on sale of 123 West Thomas Street**

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This came to a previous meeting labeled as 1300 Cleveland Avenue. Subsequently it was determined that this piece had its own address of 123 West Thomas Street. Rasmussen asked if this is where the sign is for St Vincent De Paul and Lindman confirmed. St Vincent De Paul approached the City to see if it would be willing to sell this piece.

Rasmussen moved to approve. Seconded by Henke.

Diny asked about the zoning and if zoned differently than St Vincent De Paul, would the zoning transfer. Lindman did not know how this parcel is zoned. Nothing regarding the zoning would change. Larson said if there are no objections it would be advertised for bid. The parcel would not automatically go to St Vincent. Lindman would notify the departments to see if there is interest in the parcel. If no interest, staff would move ahead with the sale through the bidding process. Bids would be opened by the Board of Public Works. Rasmussen asked if this is the same process followed when disposing of remnants and Lindman confirmed.

There being a motion and a second, motion to approve carried unanimously 4-0.

#### **Discussion and possible action on Stormwater Maintenance Agreement with Apogee Wausau Group Inc. at 7500 Stewart Avenue**

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Niksich stated this is the typical stormwater maintenance agreement. It is for an expansion at Linetec, and approval is recommended.

Henke moved to approve. Seconded by Diny and the motion carried unanimously 4-0.

#### **Discussion and possible action on 17<sup>th</sup> Avenue roadway layout**

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Niksich indicated that staff is currently working on the redesign of 17<sup>th</sup> Avenue from Stewart Avenue to just past Elm Street and outlined three options.

Option 1 includes a raised median with concrete curb separating the travel lanes. The raised median would continue throughout the entire stretch with left turn lanes at major intersections. Niksich noted with all options, sidewalk will be added on the west side.

Option 2 has a raised median throughout except at Starbucks since it is a high traffic area. A raised median here would force people heading north to take a U turn at 18<sup>th</sup> Avenue to come back to Starbucks, which could create conflicts. The concept of a raised median is to keep traffic flowing more smoothly.

Option 3 would be to leave as is with two lanes of travel in both directions and a center turn lane.

Staff initially thought a raised median would be the best option to eliminate the amount of left turn conflicts. Traffic and crash data were analyzed, and it was found there is no reason to change. There were very few accidents and the accidents that have occurred would not have changed if there was a raised median. Staff recommends leaving the center turn lane as it allows the most access to businesses.

Wesolowski said adding sidewalk on the west side increases pedestrian mobility. To add sidewalk, lane widths will be decreased from 14' to 12' and the center turn lane reduced to 13'.

Rasmussen agrees the best option is not a raised median as it creates right in right out situations. Even now there is an element of that at the Starbucks parcel. The redesign with Option 3 allows a larger number of cars to get out of the way during peak times at Starbucks. If Option 3 is no more dangerous, she would advocate to keep this design.

Rasmussen moved to approve Option 3. Seconded by Henke.

Henke said currently the crosswalk is on the north side of Elm Street, which does not make sense. He questioned if that would stay the same. Niksich said the signals will be upgraded and a crosswalk will be installed on the south side.

Diny asked if there was a significant cost difference between the options. Niksich said Option 3 would be the cheapest. Installing center medians would take a lot of concrete. Adding elements to the medians, such as grass and irrigation, would also add a lot of cost. Diny noted the steep hill and asked if runoff was considered. Niksich has not received any complaints recently and plans to maintain the same runoff.

There being a motion and a second, motion to approve Option 3 carried unanimously 4-0.

### **Stormwater Utility Presentation**

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Niksich stated that each spring we have to submit our MS4 annual report to the DNR, which is then reported to CISM. The last couple of years he has advocated to discuss the possibility of adding a stormwater utility. In 2024 the Wisconsin River Basin total maximum density loading for phosphorus will come into effect, which will create a burden on the City to start implementing different best management practices to limit the amount of phosphorus that is discharged into the Wisconsin River. Niksich's entire presentation can be viewed at <https://www.youtube.com/watch?v=ZfpvUwivuew>.

Rasmussen is a fan of this and has been advocating to creating something like this for a long time. What she sees coming down the track with the DNR and phosphorus regulations is a freight train that we do not have the money to pay for. When she first started on Council, they were adding a line item to Engineering's budget to comply with stormwater compliance. Then the Walker administration paused the dates of compliance which gave some breathing room. Even with leaf pickup and street sweeping, it is still not enough. Short of a serious levy increase, we cannot pay for what is going to be necessary. This type of utility will bring relief on the tax side to most of our constituents. Most of our constituents are single family homeowners with small hard-surfaced footprints. Right now they are paying too much of the burden. The #1 opponent of this the first time it was considered was places that do not pay taxes, such as churches, hospitals, and schools. These are properties that have large parking lots and pay zero. All the single-family homeowners and small business owners get all the burden tacked on. This would be a level playing field where if you have a parking lot and create a massive amount of runoff, it will come time to pay their fair share. With a new mandate coming closer, the time is coming where we have to do something. This will help most of our residential property owners. She feels this is a good thing for us.

Diny questioned if this would be administered through the Engineering Department or would there be separate staff that is considered the utility. Wesolowski said that is up in the air. Typically, the City would name someone to be responsible for the Stormwater Utility, and typically that would be someone in Engineering. Niksich said a study will go a long way to identify what is needed as far as staffing. Diny asked if the detention ponds would be the burden of the City to inspect, approve and/or engineer. Per Niksich, ideally a stormwater utility would help entice large producers of stormwater to create their own ponds that they would be responsible for maintaining. Diny would support a study.

Henke asked what the fees would be from the state if we fail compliance or do not meet our goals. Niksich explained there is a clause in the permit goals that states to work to the maximum extent practical. There are no fees that he knows of but does not want to find out.

Lindman thinks it would be administered like a water and sewer utility. Fees would come in and budgeted for. There would be revenue and expenses. It would be an even playing field for all buildings within the City. It would establish a fund to be used for planning purposes to meet future compliance needs. When we have large stormwater projects now, they take away from other infrastructure projects.

Rasmussen mentioned a project in her district that started out as a little project on Randolph Street and then found a need for a 60" storm sewer. This is a major project that expenses will have to come out of an emergency contingency. If we had a utility, the utility would have the funding to fix it. Absent a utility, we are left scrambling to figure it out. This would help plan for the unexpected.

Niksich will get a proposal for a study and bring it forward for consideration.

### **Construction update for 2022 Projects**

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Project A consisted of watermain extension on Campus and Burek, which is 100% complete. Project A also includes the reconstruction of Bugbee and replacement of utilities. Curb was poured today and tomorrow with paving next week. There were some delays due to material shortages. The biggest delay was getting safe water samples. However, those finally passed, and the project is moving forward.

Project B is 4<sup>th</sup> Avenue from Bridge Street to Knox Street and 4<sup>th</sup> Street from McClellan to Scott. 4<sup>th</sup> Ave was paved Monday. They are raising manholes and landscaping this week. During the concrete process vehicles had to park outside of their driveways, sometimes on side streets. There was an issue with car break-ins and PD was asked to patrol the area more. 4<sup>th</sup> Street is completed with some restoration remaining.

Project C is Torney Avenue from McDonald to Townline. Curb should be poured on Monday and Tuesday with sidewalk following. This will be paved the final week of October.

The 72<sup>nd</sup> Avenue Business Campus Trail bids were opened last week. The scope was reduced and specs for the boardwalk were revised. Unfortunately, the bids still came in extremely high. The contractor is looking at other engineering options that could possibly reduce the cost. This will go to Finance and Council for a budget modification.

Concrete Pavement Repair on Bridge Street is expected to last two more weeks. 4<sup>th</sup> Street around City Hall should be open tomorrow. The last section of concrete pavement repair will be the block of Grant Street in front of City Hall. Grant Street will be closed next week. 4<sup>th</sup> Street will be open for parking and staff has been asked to limit parking on 4<sup>th</sup> Street to allow room for City Hall visitors to park.

### **Adjourn**

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Henke moved to adjourn the meeting. Diny seconded and the motion carried unanimously 4-0. Meeting adjourned at approximately 7:15 p.m.

**AGENDA ITEM**

Discussion and possible action on preliminary resolution levying special assessments for 2023 Street Construction Projects

**BACKGROUND**

The following streets are proposed in the 2023 budget:

- Henrietta Street from Bellis Street to 13<sup>th</sup> Street
- Grant Street from North 6<sup>th</sup> Street to North 7<sup>th</sup> Street
- North 17<sup>th</sup> Avenue from Stewart Avenue to Elm Street
- North 10<sup>th</sup> Avenue from Oak Street to West Wausau Ave

**FISCAL IMPACT**

Streets have been included in the proposed 2023 budget.

**STAFF RECOMMENDATION**

Staff recommends approving the preliminary resolution levying special assessments for 2023 Construction Projects contingent upon budget approval. Public hearings would be scheduled in December or January.

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**

Preliminary Resolution Levying Special Assessments for 2023 Street Construction Projects

Committee Action:

Fiscal Impact: None at this time. Construction would take place in 2023 and the special assessments would be levied when the project is substantially completed.

File Number:

Date Introduced: November 22, 2022

**FISCAL IMPACT SUMMARY**

|               |                                                                                                                                                                     |                                                                     |                           |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------|
| <b>COSTS</b>  | Budget Neutral                                                                                                                                                      | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |                           |
|               | Included in Budget:                                                                                                                                                 | Yes <input type="checkbox"/> No <input type="checkbox"/>            | Budget Source:            |
|               | One-time Costs:                                                                                                                                                     | Yes <input type="checkbox"/> No <input type="checkbox"/>            | Amount:                   |
|               | Recurring Costs:                                                                                                                                                    | Yes <input type="checkbox"/> No <input type="checkbox"/>            | Amount:                   |
| <b>SOURCE</b> | Fee Financed:                                                                                                                                                       | Yes <input type="checkbox"/> No <input type="checkbox"/>            | Amount:                   |
|               | Grant Financed:                                                                                                                                                     | Yes <input type="checkbox"/> No <input type="checkbox"/>            | Amount:                   |
|               | Debt Financed:                                                                                                                                                      | Yes <input type="checkbox"/> No <input type="checkbox"/>            | Amount: Annual Retirement |
|               | TID Financed:                                                                                                                                                       | Yes <input type="checkbox"/> No <input type="checkbox"/>            | Amount:                   |
|               | TID Source: Increment Revenue <input type="checkbox"/> Debt <input type="checkbox"/> Funds on Hand <input type="checkbox"/> Interfund Loan <input type="checkbox"/> |                                                                     |                           |

**RESOLUTION**

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

1. The Common Council hereby declares its intention to exercise its police power under Section 66.0703 of the Wisconsin Statutes and Section 3.24.020 of the Wausau Municipal Code to levy special assessments upon property for special benefits conferred upon such property by the improvement of the following streets under Street Construction projects to take place in 2023:

Henrietta Street from Bellis Street to 13<sup>th</sup> Street  
Grant Street from North 6<sup>th</sup> Street to North 7<sup>th</sup> Street  
North 17<sup>th</sup> Avenue from Stewart Avenue to Elm Street  
North 10<sup>th</sup> Avenue from Oak Street to West Wausau Avenue

2. The public improvement shall include 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.

3. The total amount assessed against the properties in the defined assessment district shall not exceed the total cost of the City's share of the improvements. The City Council determines that the improvements constitute an exercise of the police power and the assessment against each parcel shall be upon a reasonable basis. The final assessment bill will be sent to property owners upon substantial completion of the project.

4. Unless other installment plans are determined at the hereinafter stated public hearing, the assessment against any parcel shall be paid as follows:

**Assessments under \$300:** If payment is not made prior to November 1, 2023, the special assessment will be placed on the 2023 real estate tax bill and be due in full on or before January 31, 2024. There is no interest charged when paid in full. Assessments totaling less than \$300 must be paid in full and do not qualify for the five-year payment schedule.

**Assessments totaling \$300 but less than \$20,000:** If full payment is not made prior to November 1, 2023, assessments totaling \$300 but less than \$20,000 will automatically be placed on the five-year payment schedule on the 2023 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 2023 real estate taxes **OR**
- B. Payment of the first one-fifth of the assessment with the 2023 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% beginning February 1, 2024, on the unpaid balance. (The 2022 rate was 4.8507%.) 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, 2023, assessments totaling \$20,000 or more will automatically be placed on the ten-year payment schedule on the 2023 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 2023 real estate taxes **OR**
- B. Payment of the first one-tenth of the assessment with the 2023 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% beginning February 1, 2024, on the unpaid balance. (The 2022 rate was 4.8507%.) 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), however, the special assessments must be paid on or before January 31, 2024. No payments can be applied to real estate taxes if the special assessments are not paid. Section 74.12(11)(a), Wisconsin Statutes, specifically states 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) real property taxes.

5. The Engineering Department shall prepare a report which shall consist of the preliminary plans for the proposed work, an estimate of the cost of the work, a schedule of the proposed assessments for each parcel; a copy of the report shall be filed with the City Clerk for public inspection. In accordance with Section 66.0703(7)(a), Wisconsin Statutes, notice shall be given of a public hearing on the project; the hearing shall be held by the Board of Public Works in the Council Chambers of City Hall and will be scheduled early in late 2022 or early 2023.

6. The installation of said improvements shall be accomplished according to the provisions of Title 12 and Chapter 3.24 of the Wausau Municipal Code, where applicable.

Approved:

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Katie Rosenberg, Mayor

Agenda Item No.

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***STAFF REPORT TO CISM COMMITTEE – November 10, 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                                           |