

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, January 10, 2023, in Council Chambers, beginning at 6:30 p.m.,
Mayor Katie Rosenberg presiding.

Roll Call

01/10/2023

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Diny, Doug	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

Proclamations:

Mayor Rosenberg stated Monday, January 16, 2023, is Martin Luther King Jr. Day, and it will be recognized in the City of Wausau.

Presentations: all can be viewed in entirety at: <https://www.youtube.com/watch?v=ldsktgTJlhw>

> Open Meeting Excellence Award

Kaitlyn Bernarde, City Clerk, announced the City of Wausau received the 2022 Award of Excellence in Meetings in recognition of our Council Meeting excellence. She thanked the Council for being open and eager to learn this new voting system.

> Update on Third Amendment to Riverfront Declaration

Liz Brodek, Economic Development Director, stated the Council passed a third amendment to the Riverfront Declaration that governs the Riverlife area, but it was not recorded because the Riverlife Condo development did not go through.

> Efforts to Support Wausau's Unhoused

Police Chief Ben Bliven conducted a PowerPoint presentation covering data regarding law enforcement time spent on service calls to the homeless, shelter numbers, the Scoot Street Bridge death, cold weather emergency preparedness, community feedback, city commitments, the most significant challenges, and possible short and long term solutions. *(Council discussion followed.)*

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

- 1) Orlando Alfonso, 1015 Brown St, spoke in favor of convening a Committee of the Whole (COW) for discussion on homelessness, engaging the County and felt there should be discussion on Chapter 51 commitments.
- 2) Bruce Grau, 1115 N 10th St, stated he strongly supported the development of a new city department independent from the police dedicated to the health and social needs of poor and low-income residents, as well as commented on homelessness.
- 3) Sandra Kelch, 802 Augusta Ave, was in favor of a COW meeting on homelessness and a new department.
- 4) Amanda Ladecki, 616 Sumner St, provided an update on unhoused citizens and the cold weather over Christmas and was in favor of holding a COW meeting.
- 5) Brian Stolzman, 1411 Lake St, spoke in opposition to the rezoning 1427 Lake Street and 1601 & 1607 Chellis Street to TRD-12, Townhome Residential-12 Zoning District and asked the Council to vote no.
- 6) Yvonne Nutter, 1507 Chellis St, spoke in opposition to the rezoning of 1427 Lake Street and 1601 & 1607 Chellis Street for townhouses and indicated she felt bullied and harassed by the developer.
- 7) Vicki Harness, 1240 S. 9th Avenue, also spoke in opposition to the rezoning of 1427 Lake Street and 1601 & 1607 Chellis Street for townhouses because it was too small of an area for them.
- 8) Nick Bancek, 2315 Emerson St, Project Engineer with Marathon Technical Services, commented on the rezoning of Lake & Chellis Streets, noting they would not be rentals, but owner-occupied condos; sewer and water is available to the east in a public easement; and in response to views being obstructed, that could happen with 2-story homes as well.
- 9) Gizo Ujarmeli, 920 Hamilton St, developer, denied harassment or bullying and believed the townhouses would enhance the area.

Committee Reports: Board of Public Works - Insurance Claims October 2022 - December 2022 (Placed on file)

Consent Agenda

01/10/2023

Motion by Larson, second by Henke to adopt all the items on the Consent Agenda as follows:

Tom Kilian requested File # 22-1110 be removed from the Consent Agenda for discussion.

22-1101 Minutes of previous meetings (11/15/22 & 11/22/22)

22-1201 Minutes of previous meeting (12/13/22)

22-1110 Resolution of the Capital Improvement & Street Maintenance Committee Approving 2023 Street Reconstruction Projects and Authorization to Let Bids

22-0108 Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses as Indicated

23-0105 Ordinance of the Public Health & Safety Committee Creating Ch. 10.41, Electric scooters

23-0111 Ordinance of the Public Health & Safety Committee Amending Section 1.01.025 Issuance of citations; Creating Section 5.64.066 False or altered identification cards; misrepresentation of age

23-0112 Ordinance of the Public Health & Safety Committee Creating Section 8.08.115 Restrictions on the sale of animals

23-0110 Resolution of the Transit Commission Observing Transit Equity Day (February 3, 2023). Approved 11-0.

Yes Votes: 11 No Votes: 0 Result: PASS

22.1110

01/10/2023

Motion by Henke, second by Rasmussen to adopt the Resolution of the Capital Improvement & Street Maintenance Committee Approving 2023 Street Reconstruction Projects and Authorization to Let Bids.

Tom Kilian stated it was his understanding that this was associated with a public hearing and the minutes showed there appeared to be significant involvement from citizens who provided input and had concerns on how necessary it was on certain properties.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Tom	NO
4	Diny, Doug	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

Committee of the Whole Request

01/10/2023

Motion by Larson, second by Herbst to schedule a Committee of the Whole meeting as requested by two alders, pursuant to Rule 13 of Chapter 2.16, for discussion and consideration of responses by the City and County to the homeless, comment by providers of services to the homeless and creating a new department of social development and action in Wausau city government.

Full discussion on this item can be accessed: <https://www.youtube.com/watch?v=ldsktgTJlhw>

Yes Votes: 8 No Votes: 3 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES

3	Kilian, Tom	YES
4	Diny, Doug	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	NO
8	Watson, Sarah	NO
9	Herbst, Dawn	NO
10	Larson, Lou	YES
11	Henke, Chad	YES

22-1203

01/10/2023

Motion by McElhaney, second by Watson to confirm the Mayor's Appointment of James Henderson to the position of Human Resources Director.

James Henderson, newly hired Human Resources Director, introduced himself to the Council.

Yes Votes: 11 No Votes: 0 Result: PASS

22-0103

01/10/2023

Motion by Watson, second by Herbst to confirm the Mayor's Appointment of Carol Lukens to the Community Development Authority (CDA).

Yes Votes: 11 No Votes: 0 Result: PASS

23-0109

01/10/2023

Motion by Rasmussen, second by Watson to adopt the Ordinance of the Capital Improvements & Street Maintenance Committee Amending Section 10.20.080(a) designating no parking on east side of Torney Avenue between McDonald Street and Townline Road.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1109

01/10/2023

Motion by Herbst, second by Martens to adopt the Resolution of the Finance Committee Approving Modification of the 2022 Budget for Franklin Street Improvements performed by the Marathon County Highway Department.

Lou Larson commented this appeared to be a double taxation on the citizens because they are already paying a \$25 wheel tax on their vehicles to the county. He felt if the county needs money for a road that is actually a county road, they should use the wheel tax funds. He referred to an email from Lindman about planning for this and "finding the funds" for the project and questioned why this was not brought to the CISM Committee, Council and Finance.

Eric Lindman stated this money was within the budget for 2022, so it is just being moved from one account to the other. He explained there was an asphalt overlay project that came in over bid and the county was doing the portion of Franklin Street (County Hwy Z) outside of the city. A year or two ago we did a portion of Franklin Street, and the county approached the city indicating they would be willing to do the remainder of Franklin Street within the city limits at a lesser cost than what our bids came in from American Asphalt. He reiterated it was within the budget approved by the Council and he was requesting the funds be moved from our Streets & Lines budget to the Pavement budget.

Rasmussen stated she agreed with Larson regarding the county wheel tax and the fact that the city as a whole pays a monumental amount of wheel tax every year, yet not one penny of it can go to city streets. The city has requested the use some of wheel tax in the past towards the in-town portion of county roads, which Franklin Street is, but was told no. She commented we are probably saving money with this cost sharing, but she would be happier had it been funded out of wheel tax. She did not know if we'll ever get rid of the wheel tax, but she felt that while it is out there shining up rural roads it does nothing for city residents.

Tom Kilian questioned if there had been a formal agreement for the work prior to it taking place. Lindman stated it had only been discussed via email. Larson commented he believed it still should have come to CISM so the Council had knowledge of it beforehand rather than after the fact.

Yes Votes: 9 No Votes: 2 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES

2	Martens, Michael	YES
3	Kilian, Tom	NO
4	Diny, Doug	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	YES

91-1008

01/10/2023

Motion by Watson, second by Lukens to adopt the Resolution of the Finance Committee Adopting Grant Policy.

Tom Kilian stated at the September Finance Committee meeting where they discussed the grant issue, they also discussed compliance with federal funding requirements, specifically related to Community Development block grants. He questioned if this policy was something that would help to address some of those compliance issues.

Maryanne Groat believed the policy would be a step forward because there are some people managing grants that don't have a lot of accounting experience, so the goal is to try to connect more of the accounting and oversight with the people who are managing grants. She felt the additional oversight would help catch some of the problems we have been experiencing and provide more transparency.

Yes Votes: 11 No Votes: 0 Result: PASS

23-0106

01/10/2023

Motion by Herbst, second by Lukens to adopt the Ordinance of the Plan Commission Rezoning 1427 Lake Street from SR-5, Single Family Residential-5 Zoning District and 1601 & 1607 Chellis Street from SR-2, Single Family Residential-2 Zoning District to TRD-12, Townhome Residential-12 Zoning District.

Lisa Rasmussen stated it was important to keep in mind that this is a zoning request, not a funding request, and zoning is about appropriate land use. The Plan Commission determines if the proposed land use is appropriate for a site or not and she felt that should be our primary focus. She commented similar townhome concepts on 3rd Street have worked and did not create traffic and safety issues in the neighborhood. She pointed out the project is not city funded so it is up to the private sector to decide if it succeeds or fails.

Lou Larson felt the city should not force their will on the people because the neighborhood does not want this. He stated it doesn't fit in this low to middle income neighborhood and he felt considering how many people attended from that neighborhood, that the Plan Commission was shoving it down their throats. He disagreed that the project would not cause traffic problems on these narrow streets. Larson added the neighborhood does not object to any single-family homes on this parcel.

Gary Gisselman indicated he also opposed because he did not believe the development fit in the neighborhood, which has a unique feel.

Tom Kilian questioned the City Attorney if there was anything prohibiting the Council from considering public input on these matters and Anne Jacobson responded that she did not believe so. He commented he believed the developer cares deeply about Wausau and has done positive things for the city, but with all the concerns of residents that have been brought to his attention, he felt obligated as their representative to vote no.

Dawn Herbst indicated she drove to the area and felt it was a poor location for the project and the proposed townhouses would be totally out of place there. She hoped the developer could find another property somewhere, but this property was unsuitable.

Rasmussen explained she felt the project supported growth in the city and grows tax base; it takes a site that no one has wanted for upwards of 20 years and makes it into something productive. It is an appropriate residential-based land use in a residential area.

Doug Diny stated he felt it is a piece of private property on which the developer proposes to build appropriate residential living quarters and we need the housing stock in the city.

Yes Votes: 5 No Votes: 6 Abstain: 0 Not Voting: 0 Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	YES
3	Kilian, Tom	NO
4	Diny, Doug	YES
5	Gisselman, Gary	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	NO
10	Larson, Lou	NO
11	Henke, Chad	NO

23-0107

01/10/2023

Motion by Watson, second by Herbst to adopt the Ordinance of the Plan Commission Rezoning 1723/1725 Bopf Street from TF-10, Two-Flat Residential-10 Zoning District to SR-7, Single Family Residential-7 Zoning District.

Yes Votes: 11 No Votes: 0 Result: PASS

23-0113

01/10/2023

Motion by Henke, second by Lukens to adopt the Resolution of the Public Health & Safety Committee Supporting Membership in the Wisconsin Local Government Climate Coalition.

Doug Diny indicated he was one of the no votes at committee, not that he had anything against this particular group, but in general he had a principal against endorsement of such lobby groups. It seemed to be a group that uses the city memberships to lobby. He pointed out on their website they show the cities that are members as supporting certain legislative acts. He questioned how they could ensure we were not signing onto things that we do not necessarily intend to. He did not see the value of it and it seems that they need us more than we need them. It did not indicate where the group is being funded from.

Chad Henke commented he saw this as an opportunity to get a seat at the table at the state and federal levels and be able to steer some of that money. He also felt it mirrors a lot of the goals we laid out at the beginning of this term.

Tom Kilian stated this sounds positive but questioned who was on point with the organization and who was channeling activities. Andrew Lynch, Assistant City Planner, responded they are in the process of hiring a director and have some staff currently getting it off the ground. He did not necessarily deem them a lobbying group, but they do advocate for local governments to share information and develop strategies to benefit them. He felt it was on par with something like the League of Wisconsin Municipalities, which the city is a member of. It is focused on climate change issues and getting local governments voice heard at the state and other levels. He commented as city staff person we welcome any kind of help we can get for grants and programs available to us. The group will make known opportunities to comment on legislation or send letters of support, but it is all optional, nothing is required or done automatically as a point of membership. The mayor can look at things with staff to determine if something is appropriate and in line with city goals.

Kilian pointed out we currently have very pressing issues in terms of a disproportionate exposure in Wausau's working-class areas that have allegedly resulted in both past and present health challenges. He stated he supported safeguarding against risks in the future and hoped that we as a city practice environmental justice today and not forget we have present challenges that very much require urgent attention. Carol Lukens commented as a member serving on the Sustainability Committee, she very much supported this and believed it was proactive step.

Mayor Rosenberg explained it was at a League of Wisconsin Municipalities Conference where she first talked to another person involved in this program. She indicated it was discussed with staff and the Sustainability Commission and Andy Lynch had an opportunity to attend a session with the former Deputy Secretary of Energy discussing the issues facing municipalities as it relates to climate. Doug Diny stated he could support it, but if a membership fee is imposed he would like it to come back for evaluation.

Yes Votes: 11 No Votes: 0 Result: PASS

Suspend the Rules

01/10/2023

Motion by Watson, second by Herbst to Suspend Rule 6(B) Filing of Resolutions

Yes Votes: 11 No Votes: 0 Result: PASS

Motion by Watson, second by Henke to adopt the Joint Resolution of the Capital Improvements & Street Maintenance Committee and the Finance Committee Approving Urban Nonpoint Source Construction Grant Agreement to Convert the Strawberry Fields Dry Detention Pond to a Wet Pond.

Yes Votes: 11 No Votes: 0 Result: PASS

15-1208

01/10/2023

Motion by Herbst, second by Watson to adopt the Resolution of the Finance Committee Approving contract for residential and commercial electrical inspection services between the City of Wausau and Village of Weston.

Tom Kilian felt the topic of regional cooperation comes up often and the importance of trying to have some synergy in the way we do things. He stated when we elect to work with surrounding municipalities and villages, it was his opinion unless legally barred from being able to so, that we consider whether those surrounding towns and villages have cooperated with us. Regarding transit decisions and regional cooperation, it was his understanding that has not occurred. He suggested if they are not going to cooperate with Wausau to help serve our citizens, including those that need bus services to their destination, they find some other interim stop gap measure to fill their service deficit until they become a regional team player.

Yes Votes: 9 No Votes: 2 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Tom	NO
4	Diny, Doug	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	YES

Public Comment or Suggestions

None

Adjournment

01/10/2023

Motion by Watson, second by Lukens to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:00 pm.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk