

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, January 14, 2020 at 6:30 pm in the Council Chambers at City Hall.
Mayor Robert Mielke presiding.

Roll Call

1/14/2020 6:37:47 PM

Roll Call indicated 10 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Lawrence, Linda	YES
9	Herbst, Dawn	NV
10	Thao, Mary	YES
11	Smith, Dennis	YES

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

- 1) Gerald Kittel, 154109 Split Rock Ln, indicated he worked for the Wausau Police Department for 26 years and was present to speak in opposition to removing the word “snowball” from the Wausau Municipal Code.
- 2) Bruce Grau, 1115 N 10th St, spoke regarding the state of equality in the City of Wausau, providing statistics regarding the rate of poverty compared to Milwaukee.
- 3) Deb Ryan, 702 Elm St, commented on the Procurement Policy for items under \$5,000; and spoke regarding shooting arrows for target practice in yards and clarifying the ordinance.

Proclamations:

Mayor Mielke proclaimed the **Martin Luther King Jr. Holiday as a Day of Service** in Wausau and called upon the people of the City to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on Martin Luther King Day and throughout the year.

Press Release:

Mayor Mielke read a Press Release regarding Wausau’s new construction permit value topping \$116 million and net new construction up a record 5%. This is the second highest year on record.

Presentation

Department of Public Works, Road Supervisor Ric Mohelnitzky and Public Works Director Eric Lindman gave a presentation on Winter Operations in the City of Wausau. This presentation can be viewed at: https://www.youtube.com/channel/UC-Nigpdco_i8sq5FbbJD_aw

Consent Agenda

1/14/2020 7:27:13 PM

Motion by Nutting, second by Lawrence to adopt all the items on the Consent Agenda as follows:

Mayor Mielke removed file number 20-0107 from the Consent Agenda.

19-1201 Minutes of the previous regular meeting. (12/10/29)

20-0104 Initial Resolution of the Capital Improvements & Street Maintenance Committee Vacating and discontinuing the alley lying west of 912 North 9th Street between Fulton Street, McIndoe Street and North 8th Street.

20-0105 Preliminary Resolution of the Capital Improvements & Street Maintenance Committee Levying Special Assessments for 2020 Alley Paving Project.

20-0106 Preliminary Resolution of the Capital Improvements & Street Maintenance Committee Levying Special Assessments for 2020 Street Construction Projects.

20-0108 Ordinance of the Capital Improvements & Street Maintenance Committee Authorizing the installation of stop signs on

Randolph Street at the 12th Avenue/Stevens Drive intersection.

19-1010 Resolution of the Plan Commission approving the Specific Implementation Plan at 1930 East Crabtree Drive in a PUD, Planned Unit Development District, to allow for a service building.

19-0108 Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses as Indicated.

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

20-0107 Amendment

1/14/2020 7:28:31 PM

Motion by Rasmussen, second by Nutting to amend the Resolution of the Capital Improvements & Street Maintenance Committee Accepting Temporary Limited Easement at 1202 North 3rd Street and 1204 North 3rd Street (Buchkoski) - using the revised map location and legal description as provided by the Engineering Dept, which shifts most of this easement to 1204 3rd St.

Rasmussen explained a revised map from Engineering was received today which shifts the easement slightly, more over to 1204 3rd Street versus 1202 3rd Street, requiring an amendment to the resolution.

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

20-0107

1/14/2020 7:28:53 PM

Motion by Gisselman, second by Rasmussen to adopt the Resolution of the Capital Improvements & Street Maintenance Committee Accepting Temporary Limited Easement at 1202 North 3rd Street and 1204 North 3rd Street (Buchkoski), as amended on Council floor.

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

20-0103

1/14/2020 7:29:36 PM

Motion by Neal, second by Gisselman to confirm the Mayor's Appointments to the Business Improvement District (BID) Board.

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

18-1109

1/14/2020 7:30:06 PM

Motion by Neal, second by Rasmussen to adopt the Resolution of the Finance Committee Approving the 2019 Budget Modification to Public Works Winter Maintenance and increasing interest income

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

12-0107

1/14/2020 7:41:28 PM

Motion by Neal, second by Lawrence to adopt the Joint Resolution of the Human Resources Committee and the Finance Committee Approving Agreement for Crossing Guard Services with All City Management Services, Inc.

Deputy Chief Matt Barnes explained recruiting people to work as crossing guards and managing the intersections has become very burdensome to the Police Department. Last year staff other than crossing guards had to staff intersections greater than 120 times. He noted this not only affects our staff, but also being able to provide these services is of vital importance to the School District. The number of buses in the bussing routes needed to be funded to get kids to school is dependent on where there are crossing guards. He indicated the Police Department feels that contracting and outsourcing to a company that specializes in crossing guard services is the best option. He noted the Wausau School District is willing to partner and help fund the additional cost of \$44,000 annually. All City Management is the vendor they would like to use and are the only ones they could locate in the State of Wisconsin. This company has an interest in hiring all of the city's current staff to continue providing services with very little change. Every single staff member of the crossing guard team will receive a raise in pay and still be considered part of the Police Department team. *Discussion followed.*

Barnes introduced Bob Tess, Business Agent for Wausau School District. Tess indicated they have been working jointly on this challenge for five or six years. He explained they are using a funding method called Transfer of Service for which they need to apply to the Department of Public Instruction (DPI). In his request to DPI it was explicit that the city was going to outsource school crossing guards, so if this did not pass he would have to submit another Transfer of Service application. He encouraged the Council support the resolution and confirmed the School District would fund \$44,000 annually and it would be ongoing. He pointed out this week is School Guard Appreciation Week in Wisconsin.

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

04-0306

1/14/2020 7:42:20 PM

Motion by Gisselman, second by Neal to adopt a Resolution of the Human Resources Committee Approving bargaining agreement between the City of Wausau and Amalgamated Transit Union for January 1, 2020 - June 30, 2022

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

20-0109

1/14/2020 7:42:57 PM

Motion by Gisselman, second by Peckham to adopt the Joint Ordinance of the Historic Preservation Commission and the Plan Commission Amending Section 2.82.065 Historic Districts

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

93-0835

1/14/2020 7:55:41 PM

Motion by Rasmussen, second by Nutting to adopt the Ordinance of the Public Health & Safety Committee Amending Section 9.98.020 Throwing or shooting of arrows, stones and other missiles prohibited

Rasmussen commented this ordinance and the proposed changes to it have garnered a lot of attention on both the existence of the ordinance and our proposed amendment. She noted this is the third time the city has dealt with news stories surrounding this particular ordinance in the last 10 years. The first couple times they were lighthearted, but this time the story from outside our area was filled with inaccuracies. She clarified the ordinance is not new, was not created by the Mayor and was not intended to ban all snowball fights. The reactions to the story were negative and in some cases extreme, resulting in threats.

Rasmussen explained this is an ordinance against projectiles and the word projectile remains in the ordinance regardless of any changes we make. She pointed out the enforceability and application of this ordinance does not change if we remove the word 'snowball.' She reiterated the enforceability does not go away because a snowball remains a projectile. She felt however, that removing the word will stem the news cycle that has caused a lot of vitriol this time around.

Anne Jacobson stated she knew the ordinance went back to at least 1962, but has since found this ordinance in Section 11 of a City of Wausau Charter Ordinance Book from 1884.

Gisselman felt the word "snowball" within our ordinance has worked well for our city and felt this change was being driven by social media. He pointed out the recent incident in Milwaukee where two children were throwing snowballs at a car and someone got out of the vehicle and shot them. He believed the charter ordinance was a clear understanding of what the city stood for and it has stood that way ever since. The word "snowball" is a good word and we need to let our law enforcement act appropriately in regard to those incidents within the city.

Yes Votes: 9 No Votes: 1 Abstain: 0 Not Voting: 1 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Lawrence, Linda	YES
9	Herbst, Dawn	NV
10	Thao, Mary	YES
11	Smith, Dennis	YES

Suspend Rules

1/14/2020 7:56:07 PM

Motion by Neal, second by Peckham to Suspend the Rules. (2/3 vote required)

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

20-0110 Amendment

1/14/2020 8:03:07 PM

Motion by Thao, second by Rasmussen to amend the Resolution of the Common Council Recognizing the Lunar New Year - with corrections as read on Council Floor

Thao introduced Melinda Osterberg, employee of the University of Wisconsin, spearheading the Central Wisconsin Chinese New Year Festival coming up on January 24-25, 2020. Osterberg stated the resolution is based on a resolution that was adopted by the State of Texas recognizing the Lunar New Year. She indicated Marathon County may be the first jurisdiction in Wisconsin to formally recognize it and Wausau may very well be the second municipality to recognize this holiday that is celebrated by about one quarter of the world's population. She stated they are partnering with UWSP at Wausau on an international dinner, so those interested in eating some authentic Chinese cuisine and learning more about the Lunar New Year are encouraged to attend. There will also be a traditional cultural festival on January 25, 2020. All events are free and open to the public.

Thao indicated she was seeking to amend the resolution to change some of the language. She read the resolution with the changes requested verbatim. *A copy of the changes were provided to the clerk.*

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

20-0110 1/14/2020 8:03:27 PM

Motion by Neal, second by Martens to adopt the Resolution of the Common Council Recognizing The Lunar New Year, as amended on Council Floor.

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

19-1114 1/14/2020 8:04:18 PM

Motion by Gisselman, second by Nutting to adopt the Ordinance of the Common Council Amending Section 10.20.080 No parking and restricted parking areas designated

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

99-1104 1/14/2020 8:04:47 PM

Motion by Nutting, second by Rasmussen to adopt the Resolution of the Finance Committee Amending the Procurement Policy regarding sole source documentation

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

Public Comment or Suggestions:

Maryanne Groat encouraged people to consider becoming a poll worker. She stated 2020 is a busy election season with five elections, including the Presidential. She commented being a poll worker can be enjoyable and fulfilling by making a difference to your country and community. There are a variety of different jobs with all day and half day positions. The Mayor noted this is a paid position and Groat noted a raise has been approved for poll workers, as well. Anyone interested can contact the Clerk's Office at City Hall.

**Council consensus was convening in Closed Session was unnecessary as there were no questions and to move forward with a vote on the item in open session.*

98-0814 1/14/2020 8:08:02 PM

Motion by Neal, second by Smith to adopt the Resolution of the Common Council Authorizing Amendment to Agreement for Payment of Services with Impact Seven for the property located at 4001 Stewart Avenue

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

Adjourn 1/14/2020 8:08:33 PM

Motion by Peckham, second by Martens to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:08 pm.

Robert B. Mielke, Mayor
Mary A. Goede, Deputy Clerk