

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, January 25, 2022, in Council Chambers, beginning at 6:30 p.m.,
Mayor Katie Rosenberg presiding.

Roll Call

1/25/2022

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Peckham, Patrick	YES (<i>WebEx</i>)
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	YES (<i>WebEx</i>)

Proclamation:

Mayor Rosenberg stated the full Proclamation declaring **Saturday, May 21, 2022, World Migratory Bird Day** was in the packet on the website.

Presentation by: Liberation and Freedom Committee regarding 2022 Priorities and Potential Strategies for Implementation

Tom Kilian, Chair of the Liberation and Freedom Committee, presented a committee report and short video of the committee discussion on 2022 strategies. The video was followed by comments from committee members present LaTanya Campbell and Chris Norfleet, as well as comments from Council members. <https://www.youtube.com/watch?v=nCjuwUOqP9g>

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

None

Consent Agenda

1/25/2022

Motion by Wadinski, second by Watson to adopt all the items on the Consent Agenda as follows:

Kilian requested that File #21-0413 regarding the Relocation Order be removed from Consent for discussion.

22-0101 Minutes of previous meetings (01/11/22)

22-0109 Initial Resolution of the Capital Improvements & Street Maintenance Committee Setting a public hearing regarding vacating and discontinuing an alley lying north of 410 North 6th Avenue between Oak Street, Cedar Street, N. 6th Avenue and N. 7th Avenue.

22-0107 Resolution of the Capital Improvements & Street Maintenance Committee Approving sanitary sewer, forcemain, and watermain easement with Academic Enterprise LLC at 3400 McIntosh Street and 3455 Franklin Street.

22-0107 Resolution of the Capital Improvements & Street Maintenance Committee Approving sanitary sewer and forcemain easement with Academic Enterprise LLC at 3400 McIntosh Street, 3455 Franklin Street, and 3800 McIntosh Street.

21-1210 Final Resolution of the Capital Improvements & Street Maintenance Committee Approving 2022 Alley Pavement Project and Authorization to Let Bids.

21-1211 Final Resolution of the Capital Improvements & Street Maintenance Committee Approving 2022 Street Reconstruction Projects and Authorization to Let Bids.

21-1106 Final Joint Resolution of the Capital Improvements & Street Maintenance Committee and Plan Commission Vacating and discontinuing an unpaved alley bounded by Bertha Street, Lake View Drive, Mount View Boulevard and Elmwood Boulevard.

20-0822 Resolution of the Finance Committee Approving the Towing Services Agreement with Joe Rader Towing LLC.

22-0110 Joint Ordinance of the Airport Committee, Plan Commission, and Capital Improvements & Street Maintenance Committee Amending Section 23.06.06 Off-street parking and traffic circulation.

22-0112 Resolution of the Transit Commission Observing Transit Equity Day.

Yes Votes: 11 No Votes: 0 Result: PASS

21-0413

1/25/2022

Motion by Larson, second by Rasmussen to adopt the Joint Resolution of the Capital Improvements & Street Maintenance Committee and Plan Commission Approving Relocation Order for establishing a multiuse trail along 72nd Avenue from Packer Drive to International Drive.

Tom Kilian stated he was concerned that Relocation Order lists “Eminent Domain” as a component of the process, given past history on Thomas Street with the threat of Eminent Domain. He questioned if there was a way to initiate negotiations with property owners without having Eminent Domain on the table out of the gate.

Anne Jacobson stated they are not always required to follow Eminent Domain, but it is open to the Council to elect to do so and once they agree to do that they must follow through on the entire process. She noted she saw a description in the resolution of a multiuse trail as well as new trail and in 2017 the Legislature passed statute 32.0 and 5 that property may not be acquired by condemnation to establish or extend a recreational trail, a bicycle way, path or lane, or pedestrian way. Kilian requested confirmation whether condemnation could be used here

Lisa Rasmussen stated this was discussed at CISM Committee and they are not forced land takings; they are easements of which a lot had to do with land grading and re-grading once the trail is put in. The Relocation Order process is just the vehicle by which they are securing 10 easements, 6 of which are temporary and once the trail is done, they go away. She reiterated they were not intending to forcibly take land from anyone, but they do need access. She noted there was no opposition to it at CISM.

Mayor Rosenberg noted that neither the Public Works Director nor City Engineer were present due to conflicting appointments.

Motion to Table

Motion by McElhaney, second by Kilian to table the Resolution to the next Council meeting to allow for additional clarification from staff; and to direct the City Attorney to be involved in oversight.

Yes Votes: 11 No Votes: 0 Result: PASS

22-0103

1/25/2022

Motion by Neal, second by Watson to confirm the Mayor’s Re-Appointment of Robb Shepherd to the Business Improvement District Board.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1107

1/25/2022

Motion by Wadinski, second by Rasmussen to adopt the Resolution of the Capital Improvement & Street Maintenance Committee Approving creation of Assessor’s Plat for 901 Townline Road, 1309 Torney Avenue, 1315 Torney Avenue and 1321 Torney Avenue.

Yes Votes: 11 No Votes: 0 Result: PASS

Suspend the Rules

1/25/2022

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

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES

8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	NO

22-0111

1/25/2022

Motion by Rasmussen, second by Herbst to adopt the Resolution of the Finance Committee Approving application for CDI grant through WEDC for the Children's Imaginarium.

Rasmussen explained this is a grant application for WEDC funding for the Imaginarium and the city is just a flow-through for the funding and will not be using levy dollars.

Kilian questioned what degree of involvement or oversight WOZ has on this project. Liz Brodek, Economic Development Director, stated this development is occurring in the HOM Furniture building, which is separately owned, so WOZ does not have any involvement in this project.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	NO
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	NO

15-0708

1/25/2022

Motion by Rasmussen, second by Herbst to adopt the Resolution of the Finance Committee Approving Second Amendment to Development Agreement, Second Amendment to Real Estate Mortgage and First Amendment to Real Estate Mortgage Subordination Agreement – Riverlife Wausau LLC – Phase I.

Rasmussen explained this frees up some capital stack financing for the developer and subordinates the city's position.

Yes Votes: 11 No Votes: 0 Result: PASS

Public Comment or Suggestions

- 1) Doug Diny, Candidate for District 4, suggested cake to celebrate the retiring Council members Pat Peckham and Tom Neal at the end of the term. He thanked them for their service to the city.

Closed Session

1/25/2022

Motion by Rasmussen, second by Neal to convene in Closed Session pursuant to 19.85(1)(f) Considering financial, medical, social or personal histories of specific persons which, if discussed in public, would likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data and 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to be become involved for the purpose of considering a worker's compensation settlement between the City of Wausau and an employee.

Roll Call Vote:

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES

6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	YES

Peckham and Ryan exited the meeting via WebEx.

Reconvened into Open Session.

22-0113

1/25/2022

Motion by Neal, second by Wadinski to adopt the Joint Resolution of the Human Resources Committee and the Finance Committee Approving Workers Compensation Settlement Agreement.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	NV
2	Martens, Michael	YES
3	Kilian, Tom	YES
4	Neal, Tom	YES
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	NV

Adjourn

1/25/2022

Motion by Larson, second by Wadinski to adjourn the meeting. Motion carried. Meeting adjourned at 7:15 pm.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk