

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, April 13, 2021 at 6:30 pm in the Council Chambers at City Hall.
Mayor Katie Rosenberg presiding.

Roll Call

4/13/2021

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</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

Proclamations

World Migratory Bird Day, Missing and Murdered Indigenous Women and Girls Awareness Day, Hmong Heritage Month in April (*The proclamations can be read on the city's website.*)

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

- 1) Bruce Grau, 1115 N 10th St, spoke in favor the rezoning of 1300 Cleveland Avenue to residential.
- 2) Terry Kilian, 133 E Thomas St, Volunteer Member of Citizens for a Clean Wausau, in favor of rezoning 1300 Cleveland Avenue back to residential.
- 3) Rita Pachal, 1310 Maple Hill Road, spoke in support of rezoning 1300 Cleveland Avenue back to residential,
- 4) Douglas Stang, 144 Rosecrans, representing 3M, spoke regarding the rezoning of 1300 Cleveland Avenue and their continued interest in the use of the northwest section of the property. He asked the Council to hold off on the rezoning until more information can be provided.
- 5) Donna Krause, 1036 S 4th Ave, spoke regarding the city's disability public transportation with complaints against certain bus drivers.
- 6) Beverly Folgert, 909 Greenhill Dr, urged the Council to renew the five year lease term with Lamar Advertising for the billboard at 3rd and Bridge Streets.
- 7) Gary Gisselman, 319 Park Ave, urged a vote in favor of the rezoning of 1300 Cleveland Avenue to residential and to remediate contamination issues.
- 8) Will Harris, 316 ½ N 3rd St, County Board Supervisor District 3, spoke in support of the rezoning of 1300 Cleveland Avenue to residential.

Presentations: WOZ on Mall Redevelopment

Chuck Ghidorzi updated that they have finished with the interior inspections for the abatement of hazardous items and the physical removal of these items will occur over the next few weeks. WPS will have the gas and electric disconnected by the end of April. The soils management plan has been approved by the WI DNR and the onsite investigations will begin on April 21st. All of the pre-demolition activities and permitting should allow for demolition to begin in mid-May, starting at the Sears end moving across the mall to the Penney's building. He stated this process will have minimal effect on the 3rd Street merchants, restaurant, the Grand Theater, and downtown events. It will be business as usual for the downtown HOM Furniture and the parking ramps. If all goes well they anticipate being pad ready sometime in August and moving forward with reconstruction of the streets and the building facades in 2021 – 2022. Dave Eckmann, President of WOZ, provided more details on the plan. The presentation can be viewed at: https://www.youtube.com/watch?v=q_8k3Y3Bdl8

Consent Agenda

4/13/2021

Motion by Neal, second by Herbst to adopt all the items on the Consent Agenda as follows:

Mayor Rosenberg pulled file # 21-0404 from the Consent Agenda to vote on separately.

Deb Ryan pointed out an error on the committee vote for file #21-0405 which should have been Approved 4-1.

21-0301 Minutes of previous meetings (3/09/21, 3/15/21, & 3/23/21)

21-0405 Resolution of the Finance Committee In opposition to the Office of Budget Management's Recommended Changes to Metropolitan and Micropolitan Statistical Area Standards

21-0406 Resolution of the Plan Commission Approving final plat for Royal Vistas.

21-0108 Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses as Indicated.

Yes Votes: 11 No Votes: 0 Result: PASS

21-0404 Amendment 4/13/2021

Motion by Rasmussen, second by Neal to Amend the Resolution of the Capital Improvements & Street Maintenance Committee Approving sanitary sewer easement with Emmerich & Associates, Inc. at 2105 Grand Avenue – to correct the size from 30 feet to 20 feet.

Yes Votes: 11 No Votes: 0 Result: PASS

21-0404 4/13/2021

Motion by Rasmussen, second by Peckham to adopt the Resolution of the Capital Improvements & Street Maintenance Committee Approving sanitary sewer easement with Emmerich & Associates, Inc. at 2105 Grand Avenue, as amended on Council floor.

Yes Votes: 11 No Votes: 0 Result: PASS

21-0403 4/13/2021

Motion by Watson, second by Herbst to confirm the Mayor's Appointments.

Wausau Arts Commission – David Hummer and Linda Prehn; Wausau Water Works Commission – Jim Force; Board of Zoning Appeals – Nicholas Smith.

Yes Votes: 11 No Votes: 0 Result: PASS

06-0909 Amendment 4/13/2021

Motion by Rasmussen, second by Herbst to Amend the Resolution of the Capital Improvements & Street Maintenance Committee Approving lease with The Lamar Companies for billboard signs at Bridge Street and 3rd Street – to a two year lease.

Dave Curtin, Lamar Advertising, asked the Council to approve the lease renewal. He noted the facts remain the same as they were in 2015 when the lease was last renewed. The signs have been on the corner of Bridge & 3rd Streets for 25 years and no new billboards are allowed under the current ordinance. He stated Lamar is always improving on the signage and the company is in the process of going to LED lighting. He commented they felt their signs enhance the properties and even when sold, the new owners can collect the lease income. He pointed out the leases have a cancellation clause whereby the city or prospective buyers can cancel the lease in 60 days. He noted the lease was previously \$8,000 and Lamar is offering \$9,000 per year for five years, which is \$45,000.

Rasmussen stated when we renewed this lease in 2015 there was nothing happening in that area, but since then many new developments have happened there and being adjacent to the riverfront the area is ripe for new development. She felt they needed to balance our business sectors need for advertising with our need to prep a site for redevelopment. She suggested a compromise of a shorter term than five years because more frequent review allows us to take stock of what is happening in the area.

Yes Votes: 6 No Votes: 5 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	NO
6	McElhaney, Becky	NO
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES

10	Larson, Lou	NO
11	Ryan, Debra	NO

06-0609

4/13/2021

Motion by Wadinski, second by Neal to adopt the Resolution of the Capital Improvements & Street Maintenance Committee Approving lease with The Lamar Companies for billboard signs at Bridge Street and 3rd Street, as amended on Council Floor.

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	NO
11	Ryan, Debra	YES

21-0120 Withdrawn

Resolution of the Economic Development Committee Approving the sale of 138 E. Thomas Street to Tyler Knudson Construction LLC for the construction of a single-family home on a Thomas Street Phase II remnant parcel. *Offer Withdrawn, no action.*

19-1109

4/13/2021

Motion by Watson, second by Rasmussen to adopt the Resolution of the Finance Committee Approving the 2020 budget modification and reallocate project funds.

Yes Votes: 11 No Votes: 0 Result: PASS

21-0407

4/13/2021

Motion by Neal, second by Larson to adopt the Ordinance of the Plan Commission Rezoning 1300 Cleveland Ave from MI, Medium Industrial Zoning District to MRL-12, Multi-Family Residential-12 Zoning District.

**Lengthy Council comments and discussion.*

Yes Votes: 11 No Votes: 0 Result: PASS

Suspend the Rules

4/13/2021

Motion by Neal, second by Wadinski to Suspend Rue 12(A) Referral of Resolutions.

Yes Votes: 11 No Votes: 0 Result: PASS

11-0505

4/13/2021

Motion by Wadinski, second by Watson to adopt the Resolution of the Common Council Designating May 15, 2021 as World Migratory Bird Day.

Yes Votes: 11 No Votes: 0 Result: PASS

15-0708

4/13/2021

Motion by Neal, second by Rasmussen to adopt the Resolution of the Common Council Approving infrastructure easement with Riverlife Wausau LLC – Phase I.

Yes Votes: 11 No Votes: 0 Result: PASS

02-0432

4/13/2021

Motion by Martens, second by Larson to adopt the Ordinance of the Common Council Amending Chapter 2.16 Standing Rules of the Common Council Rule 2 – Quorum Required and Rule 4 – Absence of Members.

Becky McElhaney stated this is regarding whether or not to continue meetings with WebEx, noting it was discovered that this provision expired December 31st. She indicated she would not support continuing on WebEx. When this was started in March 2020 it was the beginning of the pandemic before safer-at-home and it passed very narrowly. The intention was a very narrow focus in a shelter in place situation and/or should members being quarantined, but needing to continue city business. She commented at that time she did not believe it was going to go on and on. She indicated she has been receiving a lot of complaints from residents who feel some Council members are not engaged while on WebEx and there is a transparency issue because some people can't hear the vote or struggle with technology. Closed session meetings are also presently a problem. She stated Covid is still an issue, however, vaccinations are available and we are opening pools and events are coming back. She felt the WebEx could remain available to staff/Department Heads and the public to keep the numbers down in the Council Chambers, but Council members need to attend in person to debate and vote.

Mayor Rosenberg commented there was discussion with the League of Municipalities and many municipalities are coming back in to meetings in person, so we are on par with the rest of the state.

Yes Votes: 4 No Votes: 7 Abstain: 0 Not Voting: 0 Result: FAILS

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

20-1018

4/13/2021

Motion by Watson, second by Rasmussen to adopt the Resolution of the Common Council Approving settlement offer to settle claim filed with Zagster, Inc.

Lisa Rasmussen explained Zagster was the company that was contracted to provide bicycles on the Riverwalk. Some foundation funds were used to pay for half of the contract. Zagster subsequently collapsed and they offered the city a settlement of \$900 which was not accepted. Now they have come back and offered to settle for approximately 25% of our claim, or \$4,500. She indicated the Finance Committee approved accepting the settlement and the city would own the bicycles to be repurposed.

Yes Votes: 11 No Votes: 0 Result: PASS

Public Comment or Suggestions:

- 1) Donna Krause, 1036 S 4th Ave, regarding gardening flowers and plants versus food and contamination in the soil in the area.

Closed Session

4/13/2021

Motion by Watson, second by Herbst to convene into 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

Closed Session

4/13/2021

Motion by Watson, second by Herbst to convene into CLOSED SESSION pursuant to Wis. Stat. s. 19.85(1)(g), for the purpose of conferring with legal counsel for the rendering of oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically regarding the Memorandum of Understanding with the Wausau/Central Wisconsin Convention & Visitors Bureau.

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

Closed Session

4/13/2021

Motion by Watson, second by Herbst to convene into CLOSED SESSION pursuant to Section 19.85(1)(e) for deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session regarding the sale of city-owned property at 510 South 32nd Avenue

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

Reconvened into Open Session to take action.

21-0408

4/13/2021

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

Yes Votes: 11 No Votes: 0 Result: PASS

94-0828

4/13/2021

Motion by Rasmussen, second by Larson approving a Joint Resolution of the Room Tax Commission and the Finance Committee Approving Memorandum of Agreement between Wausau Convention and Visitors Bureau (CVB) and Representatives of City of Wausau and Village of Weston.

Yes Votes: 11 No Votes: 0 Result: PASS

20-1019 Amendment

4/13/2021

Motion by Rasmussen, second by Herbst to amend the Resolution of the Finance Committee Authorizing sale of city-owned property at 510 South 32nd Avenue – to accept the Offer to Purchase and direct the City Attorney to negotiate the closing costs relative to title insurance and gap endorsement.

Yes Votes: 11 No Votes: 0 Result: PASS

20-1019

4/13/2021

Motion by Rasmussen, second by Herbst to adopt the Resolution of the Finance Committee Authorizing sale of city-owned property at 510 South 32nd Avenue, as amended on Council floor. Adopted 11-0.

Yes Votes: 11 No Votes: 0 Result: PASS

Adjourn

4/13/2021

Motion by Herbst, second by Wadinski to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:39 pm.

Katie Rosenberg, Mayor
Leslie M. Kremer, City Clerk