

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL

held on Tuesday, April 25, 2023 in Council Chambers, beginning at 6:30 p.m.,
Mayor Katie Rosenberg presiding.

Roll Call

4/25/2023

Roll Call indicated 10 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	NV
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

Presentation: Update on ECDC Multicultural Community Center in Wausau – Adam VanNoord and Eric Yonke

Eric Yonke, ECDE, Refugee Resettlement Office, in Washington Square, provided an update to the Council.

The presentation can be viewed online at: <https://www.youtube.com/watch?v=02QVNCAISVo>

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

- 1) Dave Eckmann, 209 W Washington, Chamber of Commerce CEO, spoke on behalf of the Chamber in strong support of the S.C. Swiderski Riverlife development.

Consent Agenda

4/25/2023

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

23-0401 COUN Minutes of previous meeting (4/11/23)

23-0405 CISM Preliminary Resolution Levying Special Assessments for 2023 Alley Paving Project

21-0414 PH&S Resolution Designating the Month of May, 2023, as "No Mow May" and suspending enforcement of W.M.C. §6.48.010 Mowing Required and §6.48.040 Penalty from May 1, 2023 through May 31, 2023.

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

23-0403

4/25/2023

Motion by Lukens, second by Watson to confirm the Mayor's Appointments to the Community Development Authority, Historic Preservation Commission, Plan Commission, Police & Fire Commission, Sustainability, Energy, & Environment Commission, Transit Commission, and the Wausau Arts Commission.

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

23-0406

4/25/2023

Motion by Henke, second by Herbst to adopt the Joint Resolution of the Capital Improvements & Street Maintenance Committee and the Plan Commission Authorizing the Sale of City-Owned Property at 123 West Thomas Street.

Tom Kilian clarified there is one parcel ID for two addresses: 123 West Thomas Street and 1300 Cleveland Avenue. He questioned if 1300 Cleveland Avenue was an open DNR ERP site but does not include 123 West Thomas Street because it has a second address and Eric Lindman confirmed that to be correct. Kilian questioned City Assessor Rick Rubow if someone had purchased 1300 Cleveland Avenue six months ago would it have included this secondary parcel. Rubow explained properties are typically sold by legal description rather than property address, so even though you have real estate PIN they are conveyed by legal description which could have been created for just 1300 Cleveland Avenue. Kilian questioned if the zoning would include the entire parcel ID. Rubow stated the zoning historically has stuck with the property unless a rezone is requested.

Kilian requested the buyer be given environmental disclosure of ground water impact on the property. Attorney Anne Jacobson indicated she could inform the buyer, St. Vincent De Paul's. Kilian stated because of what appears to be some unknowns with some of the implications of this connected to 1300 Cleveland Ave, he would not support it.

Lisa Rasmussen pointed out this is a tiny little strip of land that St. Vincent De Paul's electronic sign already exists on, so they would like to own it. She stated CISM reviewed the address description and 1300 Cleveland Avenue is not associated with it and no one is talking about selling or building anything on 1300 Cleveland Ave. Kilian still believed there was an obligation to disclose the ground water impacts no matter how small the property.

Michael Martens questioned how the city ended up owning this strip of land. Lindman stated the city always owned the piece of property along the north side of S. Vincent De Paul as well as the piece that is 1300 Cleveland Ave. He explained including St. Vincent De Paul it was once all one piece of property that the city owned. St. Vincent De Paul was cut out from the legal description and the piece on the north side was left over right-of-way when the new Thomas Street corridor was approved. He noted the DNR sent a letter that the area was approved, which he indicated he passed along to St. Vincent De Paul, as well as information on the soil borings along that corridor.

Yes Votes: 8 No Votes: 2 Abstain: 0 Not Voting: 1 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	NO
5	Gisselman, Gary	YES
6	McElhaney, Becky	NV
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

23-0407

4/25/2023

Motion by Henke, second by Gisselman to adopt the Ordinance of the Capital Improvement & Street Maintenance Committee Amending Section 10.20.080(a) designating no parking on north side of Sherman Street between S. 3rd Avenue and S. 8th Avenue.

Lou Larson stated this is nothing more than a housekeeping item. He explained when considering the no parking on Sherman Street from S. 3rd to S. 4th Avenue we discovered there were signs already on the north side of the street from S. 3rd Ave to S. 8th Ave, but no ordinance to support it.

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

94-0907

4/25/2023

Motion by Watson, second by Rasmussen to adopt the Joint Resolution of the Plan Commission, Finance Committee and Economic Development Committee Approving the Project Plan Amendment #5 Tax Incremental Financing District Number 3, City of Wausau (TIC #3).

Yes Votes: 8 No Votes: 2 Abstain: 0 Not Voting: 1 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	NV
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	YES

Motion by Watson, second by Lukens to adopt the Joint Resolution of the Plan Commission, Finance Committee and Economic Development Committee Approving the Project Plan Amendment Tax Incremental Financing District Number 8 Amendment #3, City of Wausau (TID #8)

Yes Votes: 8 No Votes: 2 Abstain: 0 Not Voting: 1 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	NV
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	YES

Motion by Rasmussen, second by Watson to adopt the Joint Resolution of the Plan Commission, Finance Committee and Economic Development Committee Approving the Boundaries and Project Plan for Amendment Two to Tax Incremental Financing District Number 12, City of Wausau (TID #12).

Yes Votes: 7 No Votes: 3 Abstain: 0 Not Voting: 1 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	NO
6	McElhaney, Becky	NV
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	YES

Motion by Lukens, second by Herbst to adopt the Joint Resolution of the Economic Development Committee and the Finance Committee Approving Development Agreement with S.C. Swiderski, LLC and SCS Wausau, LLC for a mixed-use development at approximately 1200 N. River Drive, including Lots 6, 7 and 8, and sale of property.

The S.C. Swiderski team recapped the project called SCS Wausau that introduces a mixed-use newly designed seven-story Sterling Building that has 200 market rate apartments. There is a wide range of floor plans and sizes inside and units were chosen based on research within the community. The main level of the Sterling Building will also contain two commercial spaces as well as parking. Other spaces within the building include a yoga studio, fitness center, conference room, outdoor patio space and rooftop terrace. A Development Agreement has been worked through with staff and the consultant. It is a \$52 million investment by S.C. Swiderski and they have agreed to an appraised value of \$29.4 million. If approved, they can finish through the due diligence period and then plan to purchase the property for \$400,000 at the end of the year. Construction would start summer of 2024 and open the building in early 2027.

Randy Fifrick, Economic Development, stated the city engaged Ehler's to assist in reviewing the Development Agreement, looking at their application and determining the appropriate funds required to close the financial gap. The city in this case has proposed a PayGo or Reverse TIF, in which they get a portion of the tax revenue they generate based on their development being completed.

Keith Dahl, Ehlers, explained their process to perform an analysis that entailed reviewing the developer's budget to ensure they were maximizing their private sources, financing through lenders and equity, and costs of construction, land acquisition, financing costs.

Part of the analysis also looks at Performa and cashflow over time, rents, revenues, and operating expenses as compared to other projects in the Wausau area. Ultimately, we are looking at their return on investment because with the public dollars being provided, we do not to unduly enrich the developer and investors. Dahl stated the amount of public assistance currently being recommended in the Development Agreement makes this project financially feasible for it to move forward. He stated they felt confident it is the best position for the city.

Lengthy Council discussion followed. The presentation and full discussion can be accessed online at:
<https://www.youtube.com/watch?v=02QVNCAISVo>

Yes Votes: 7 No Votes: 3 Abstain: 0 Not Voting: 1 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	NO
6	McElhaney, Becky	NV
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	YES

Suspend the Rules

4/25/2023

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

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

03-0306

4/25/2023

Motion by Watson, second by Lukens to adopt the Resolution of the Finance Committee Authorizing the write-off of certain uncollectible delinquent personal property tax accounts from the City's accounting records.

Yes Votes: 9 No Votes: 1 Abstain: 0 Not Voting: 1 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	NV
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	YES

12-1118

4/25/2023

Motion by Watson, second by Lukens to adopt the Resolution of the Finance Committee Approving Production Agreement between Wausau School District Board of Education and Administration and City of Wausau.

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

22-1109

4/25/2023

Motion by Watson, second by Herbst to adopt the Resolution of the Finance Committee Approving 2023 Budget Modifications -- 48th Avenue Intercept Project.

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

Motion by Herbst, second by Rasmussen to adopt the Resolution of the Finance Committee Approving 2023 Budget Modifications -- Riverside Park Remediation.

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

23-0408 Refer

4/25/2023

Motion by Larson, second by Kilian to refer the Resolution of the Finance Committee Approving the closure of the McClellan Parking Ramp to the CISM Committee.

Doug Diny questioned if the Dudley Tower management was informed of this and what their reaction was. Mayor Rosenberg thought they wanted a new ramp to be constructed.

Lou Larson felt this has suddenly come up and as Chairperson of the CISM Committee was surprised that it did not come through CISM first before coming to Council. He stated there is a certain protocol to go through to get things done that should be followed.

Eric Lindman stated this has come because of the recent analysis done by the Walker Parking Engineers. He explained it is coming forward quickly because of significant work that has to be done to keep the ramp viable and safe. A decision needs to be made as to whether they want to spend a lot of money based on that report to gain just a few more months or if they are going to move ahead to shut the ramp down. He stated the ramp is deteriorating more quickly than we expected and that is why it is before them tonight.

Lisa Rasmussen stated Finance Committee considered it because it involves money. She felt we are gambling with people's safety and risking liability and can't run the ramp to collapse. She did not feel there was anything to gain by referring it to CISM, only delay of action, and if we are being told by the parking experts that it needs to be out of service, then it needs to be out of service.

Gary Gisselman suggested calling a special meeting of CISM so as not to delay a decision. He wanted more discussion on how we are going to see the rest of parking downtown in the future and if there was enough parking for the people that will be displaced. He also wanted to hear from the Dudley Tower's legal team.

Maryanne Groat stated there is approximately 795 stalls in the Jefferson Ramp which is at about 32% occupancy which would provide 500 stalls. She noted the city owns the lots to the north of the Dudley Tower with about 100 stalls and another lot immediately south of the McClellan Ramp with 60 stalls. She stated the 531 stall Penney's Ramp is at approximately 11% occupancy and we have seen some movement out of the Jefferson Ramp into that ramp for large vehicles. She commented COVID has impacted the census of downtown businesses and the number of employees working downtown, as well as the mall closure, contributing significantly to the vacancies. It is a very expensive endeavor to build and maintain a ramp and we wouldn't want to prematurely construct one unless demand justifies it.

Sarah Watson noted the resolution calls for the top two floors of the ramp to be closed immediately. She questioned if the motion to refer to CISM passes, would there still be a way to close those floors without the resolution. Lindman indicated he highly recommended shutting down those top two floors immediately. Diny, Gisselman, and Kilian felt the staff had the ability to act on an immediate safety hazard to close the top floors.

Yes Votes: 6 No Votes: 4 Abstain: 0 Not Voting: 1 Result: PASS

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

22-1109B

4/25/2023

Motion by Watson, second by Rasmussen to adopt the Resolution of the Finance Committee Approving 2023 Budget Modifications -- Professional Services.

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

Public Comment or Suggestions:

None

Adjourn

4/25/2023

Motion by Watson, second by Henke to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:13 pm.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk