OFFICIAL PROCEEDINGS OF THE MEETING OF THE WAUSAU COMMON COUNCIL
held on Tuesday, April 28, 2020 at 6:30 pm in the Council Chambers at City Hall.
Mayor Katie Rosenberg presiding.

Roll Call 04/28/2020

Roll Call indicated 11 members present.

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

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

None

Consent Agenda 04/28/2020

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

Ryan requested file # 20-0301, Minutes of 3/24/20 meeting, be pulled off the Consent Agenda.

20-0412 Resolution of the Finance Committee Approving Parking Permit Fee Abatement Program During Safer At Home.

Yes Votes: 11 No Votes: 0 Result: PASS

20-0301 04/28/2020

Motion by Rasmussen, second by McElhaney to Approve Minutes of previous meeting on 3/24/20.

Ryan indicated because she was not part of the previous Council she would abstain from voting.

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

District	Alderperson	Vote
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	*ABS*

20-0403 04/28/2020

Motion by Peckham, second by Rasmussen to confirm the Mayor’s Appointments to Boards, Commissions, and Committees as Indicated.

Yes Votes: 11 No Votes: 0 Result: PASS

20-0401 04/28/2020

Motion by Peckham second by Neal to amend the minutes of 4/14/20 to add "BY ITSELF" to the sentence on page 2, to read: It is an expensive renovation that *by itself* will not generate a significant amount of increment or new property value."

Peckham indicated Chris Schock agreed with adding this language to his statement in the minutes to help differentiate the hotel renovation and the other development on the hotel property.

Yes Votes: 11 No Votes: 0 Result: PASS

Motion by Neal, second by Herbst to approve the minutes of 4/14/20 as amended.

Yes Votes: 11 No Votes: 0 Result: PASS

19-1109 04/28/2020

Motion by Peckham, second by Herbst to adopt the Resolution of the Finance Committee Approving the 2020 budget modification for the Great Lakes Cheese Facility Demolition.

Ryan stated she was aware there was potential contamination with the demolition on the Great Lakes Cheese site. She questioned if the contractors and staff are certified in remediating the contamination. Eric Lindman responded North Star Testing did all the testing and Mavo Systems will do all the required abatement. He noted there were not any environmental concerns with the soils.

Kilian questioned if there was any urgency or time sensitivity on this matter. He felt things have changed rather dramatically the last few months due to the pandemic and given those changes and the state of emergency perhaps this should be delayed.

Rasmussen stated it was her understanding there were previously approved development projects in that area that are waiting to start and there is a study going on to plan how they will all fit on the site. Chris Schock confirmed they were finalizing the layout of the area and are aware the housing project would start later this year. The demolition of the building is an important first step.

Kilian commented because of a possible recession in the near future he felt it would be wise to revisit some of these plans and expenditures and put them on the backburner He indicated he would vote against the resolution. Peckham believed the wheels of the city need to continue to turn and if we put this on ice we would only be contributing to the problem by ultimately denying employment to people who need it. Rasmussen stated the demolition has already been started and it makes sense to have the site clean and ready to develop so when the projects are ready the land is ready also.

Lindman pointed out the diving force was to remove this large building that the city would have to maintain while it is up. It costs the city money every day and security is an issue. The sooner the building comes down the better it is for the city. He noted the police department has had to do extra patrols to keep people out of the building and there is a section of the building that has asbestos that is currently being worked on. There has also been theft of the salvage materials that were stockpiled and tied down.

Discussion continued.

Motion by Kilian, second by Larson to postpone action on the Resolution of the Finance Committee Approving the 2020 budget modification for the Great Lakes Cheese Facility Demolition – to the June Council meeting.

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

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

Lindman pointed out there is money already budgeted for work to be done and this is just a modification to make up the difference. If we continued to work with the budget we have the building could probably be brought down to the slab and then leave the slab and hardscape there.

Groat explained there is $115,500 available unspent funds from the original contract that were budgeted in 2019 and need to be carried over to 2020.

Motion by McElhaney, second by Watson to amend the Resolution to approve the carryover of 2019 unspent funds of $115,500 to 2020 budget; and eliminate the supplemental request of $54,500.

Yes Votes: 11 No Votes: 0 Result: PASS

Vote on the original motion to approve the resolution as amended on Council floor.

Yes Votes: 11 No Votes: 0 Result: PASS

Suspend the Rules 04/28/2020

Motion by Rasmussen, second by Herbst to Suspend Rule 6(B) and 12(A) for the following items on the agenda.

Yes Votes: 11 No Votes: 0 Result: PASS

03-1006 04/28/2020

Motion by Peckham, second by Herbst to adopt the Joint Resolution of the Airport Committee and the Finance Committee Authorizing the execution of Airport Ground Lease – Kocourek Holdings, LLC and cancellation of the hangar construction approved on February 11, 2020.

Larson stated the lease on page 1, Item 1, has a paragraph that reads: "Within 60 days after completion of the building tenant shall complete preparation of appropriate excavation and installation of base course in preparation for asphalt pavement extending from the building to the taxiway and two hundred feet (200') wide. Tenant shall pay for 100 percent of the preparation and base course, and city shall pay for the asphalt and the cost of laying the asphalt down. All site preparations for the road shall be done pursuant to city specifications and shall be approved by city prior to city paving the area." He stated he saw problems with this because it stated 200 feet wide, but does not say how long and therefore there is no estimation of cost. He questioned why the citizens are paving the driveway from a runway to a corporate hangar. He felt the hangar owner should pay for it and not the city He commented he knew of at least six streets in his district alone that have waited 10 years or better for pavement.

Discussion took place regarding lease rates. Groat explained the city has been collaborating with the paving on these private developments and noted the city receives real estate tax on those facilities. The paving costs comes out of the airport's capital budget.

Peckham stated, as Chair of the Airport Committee, if they want to evaluate leases he would welcome a review and an examination of them at committee, but did not feel it should be discussed tonight when we are being asked to approve an agreement that has been voted on a couple times already. It was his understanding this is an urgent matter that needs action.

Motion by Larson, second by Kilian to amend the Airport Ground Lease – Kocourek Holding, LLC, Section 1, paragraph 2 to remove the language "City shall pay for the asphalt and the cost of laying the asphalt down."

Rasmussen stated in the same fiscal year they cannot treat one hangar developer different than another hangar developer which are all subject to the same terms of a standard lease. She cautioned that treating them differently in the same year could result in a lawsuit. Secondly, the Wausau taxpayer is technically not subsidizing the paving of asphalt between the apron and the taxiway because the airport operates as an Enterprise Fund and generates its own revenue.

Kilian wanted to see a written legal opinion from counsel for the municipal corporation on what we can and cannot amend safely. If there could be litigation, he wanted a legal opinion that backed that up.

John Chmeil, Airport Manager, explained leases were enacted in 1998 when they first started doing a private hangar development program to generate revenue for the city. In research of other airports they found some required the investment of the pavement to be 100% on the builder and the others 100% paid by the owner of the airport. This is a compromise where the builders prepare the space from the hangar to the taxiway and the city paves it to ensure the pavement is done to FAA and DOT specifications and because we will have to maintain it. It is not the hangar owner's pavement, it is the city's pavement, so this is deemed a fair compromise.

Lengthy discussion continued and can be accessed online: https://www.youtube.com/channel/UC-Nigpdco_i8sq5FbbJD_aw

Vote on the motion to amend the lease to remove the language "City shall pay for the asphalt and the cost of laying the asphalt down."

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

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

Vote on the original motion to approve resolution (Kocourek):

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

District	Alderperson	Vote
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	NO
11	Ryan, Debra	NO

19-0912 04/28/2020

Motion by Peckham, second by Herbst to adopt the Resolution of the Common Council Approving sanitary sewer easement at 400 East Thomas Street (Marathon County).

Yes Votes: 11 No Votes: 0 Result: PASS

Public Comment and Suggestions:

Deb Ryan, 702 Elm St, spoke regarding affordable housing and the amount of Section 8 Housing units within the city.

Adjournment 04/28/2020

Motion by Herbst, second by Larson to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:35 pm.

Katie Rosenberg, Mayor
Leslie M. Kremer, City Clerk