

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, May 11, 2021 at 6:30 pm In the Council Chambers at City Hall.
Mayor Katie Rosenberg presiding.

Roll Call

5/11/2021 6:33:41 PM

Roll Call shows 11 members

<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

Mayor Rosenberg stated the proclamations can be viewed in the packet and on the city's website for: World Migratory Bird Day and Apraxia Awareness Day

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

- 1) Gary Gisselman, 319 Park Ave, spoke regarding file # 06-1016 in reference to repealing Section 3.10.010 referendum, which was put into effect by petition for direct legislation by the citizens in 2005. The next issue came up in 2015 with regard to instituting fees for garbage pickup and storm water management, which lost in the referendum. He felt the people have spoken twice and this should weigh in on their discussion this evening

Committee Reports

Board of Public Works: Insurance Claims January 201 – March 2021. (*Placed on file.*)

Consent Agenda

5/11/2021 6:38:41 PM

Motion by Neal, second by Peckham to adopt the Items on the Consent Agenda, which include:

Deb Ryan requested file #19-1113 be pulled from the Consent Agenda to vote on separately..

21-0401 Minutes of the previous meeting (4/27/21)

21-0504 Joint Resolution of the Airport Committee and the Finance Committee Authorizing the execution of Airport Ground Lease - Owen Jones and Wynn O. Jones II

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

Yes Votes: 11 No Votes: 0 Result: PASS

19-1113

5/11/2021 6:50:12 PM

Motion by Herbst, second by Rasmussen to adopt the Ordinance of the Plan Commission Repealing Section 23.06.50 Regulations for vacant buildings; amending Section 23.01.23 Definitions, Section 23.02.02 Standard zoning districts, Section 23.02.20 (RH-35) Rural Holding Zoning District, Section 23.02.30 (SR-2) Single Family Residential-2 Zoning District, Section 23.02.31 (SR-3) Single Family Residential-3 Zoning District, Section 23.02.32 (SR-5) Single Family Residential-5 Zoning District, Section 23.02.33 (SR-7) Single Family Residential-7 Zoning District, Section 23.02.34 (MH-7) Mobile Home Residential-7 Zoning District, Section 23.02.40 (DR-8) Duplex Residential-8 Zoning District, Section 23.02.41 (TF-10) Two Flat Residential-10 Zoning District, Section 23.02.42 (TRD-12) Townhome Residential-12 Zoning District, Section 23.02.43 (MRL-12) Multi-Family Residential-12 Zoning District, Section 23.02.52 (SO) Suburban Office Zoning District, Section 23.02.53 (SMU) Suburban Mixed-Use Zoning District, Section 23.02.54 (UMU) Urban Mixed-Use Zoning District, Section 23.02.55 (DPMU) Downtown Periphery Mixed-Use Zoning District, Section 23.03.03 Regulations applicable to all land uses, Section 23.03.05 Table of land uses, Section 23.03.06 Residential land uses, Section 23.03.28 Accessory land uses and structures, Section 23.06.02 Group and large development standards, Section 23.06.03 Vehicle

access standards, Section 23.06.05 Visibility standards, Section 23.06.06 Off-street parking and traffic circulation, Section 23.06.40 Fencing standards, Section 23.06.42 Swimming pool standards, Section 23.06.51 – 23.06.99 Reserved, Section 23.09.05 Definitions and rules related to sign groups, sign categories, and sign types, Section 23.09.27 Sign permits—Application, enforcement, and revocation

Yes Votes: 11 No Votes: 0 Result: PASS

21-0503

5/11/2021 6:51:00 PM

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

Ethics Board - Calvin Dexter; Reappointments to the Board of Zoning Appeals – Nancy Hoffmann, David Burke, David Oberbeck, Nan Giese; and Reappointment to the Building Advisory Board – Tom Mudrovich.

Yes Votes: 11 No Votes: 0 Result: PASS

15-0613

5/11/2021 6:51:38 PM

Motion by Watson, second by Neal to adopt the Resolution of the Economic Development Committee Approving third amendment to Blenker River East Brownstones Development Agreement Phase III

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

06-1016

5/11/2021 7:32:03 PM

Motion by Rasmussen, second by Peckham to adopt the Ordinance of the Finance Committee Repealing Section 3.10.010 Referendum.

Lisa Rasmussen stated she believed this is something that has needed to happen for a long time. She stated this is one of the number one hindrances to the city being able to create creative and flexible change to bring mill rate relief to the residents. She explained, for example, currently residents pay for their garbage collection through their tax bill and is not a separate flat charge. They all put out the same container every week and get the exact same service, but there is a huge disparity when you use the value of the home to charge for a service. One house will pay \$900 a year and another house that pays \$17 a year for garbage collection, which is completely unfair to the taxpayers.

Rasmussen commented at the time the direct legislation went through for this ordinance there were no safeguards at the state level to prevent municipalities from essentially double-dipping by creating a fee and continue to tax the same. Three or four years later during the Walker administration safeguards were created that stated any new fee instituted by a municipality has to be met with a commensurate reduction of the levy. She pointed out the state now prevents what the direct legislation was trying to stop. Now it is a redundancy, but it also keeps the city from bringing about change to bring about fairness. She believed the referendum failed in 2015 because people did not attend listening sessions and did not understand it. The ordinance has served its purpose and now it needs to be repealed.

Tom Kilian stated on two separate occasions the people in large numbers demonstrated and indicated what their will and voice was. He stated we look out for the taxpayer and we are here represent their voices and therefore the repeal of this ordinance should be decided by a referendum.

Mayor Rosenberg asked for clarification if this has actually expired, making this an ordinance cleanup. City Attorney Anne Jacobson explained the ordinance was adopted by direct legislation rather than being implemented through a referendum. Subsequently, the question of whether to institute garbage and stormwater fees went to a referendum, not a repeal of this ordinance. The ordinance had

to stay on the books for two years, which we are long past, and then it can simply be repealed on a majority vote of the Council.

Becky McElhaney stated she would like to see the mill rate go down for everyone but believed people need to understand what is happening. She questioned what the fee would be for garbage collection across the board if everyone paid the same. Maryanne Groat explained some things would have to be decided by the Council beforehand, such as what services to be included in the charge like yard waste services and large item pickup. She indicated based on our current charge it would be approximately \$100 per household for just curbside collection and that would decrease the tax rate 48 cents per thousand. A home valued at \$194,000 would be at a break-even point, so a house worth more will save money and a house worth less will pay more because the tax rate currently is based on the value of the home.

Rasmussen stated if this would happen a separate bill for garbage is not sent out, but when the tax bill is received it would be itemized on that bill and be paid at the end of the year along with the taxes. She noted most of the surrounding communities do it that way, but because Wausau does not it puts us at a competitive disadvantage.

Pat Peckham pointed out the vote tonight is not about implementing any of these fees, it is just a vote on removing the referendum. He commented the danger of the referendum question asking for any sort of fee is that people won't be well informed on the issue and they will just see "fee increase" and vote no. He believed repeal of this will give the city more flexibility and enable us to be responsible custodians of the tax dollar.

Discussion continued.... <https://www.youtube.com/watch?v=CxOA4JdWBUk>

Yes Votes: 8 No Votes: 3 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	NO
11	Ryan, Debra	NO

21-0507

5/11/2021 7:35:08 PM

Motion by Watson, second by Larson to adopt Joint Resolution of the Park & Recreation Committee Approving contract with Epic Trail Design, LLC for Phase It of the Sylvan Hill Bike Park Improvements

Yes Votes: 11 No Votes: 0 Result: PASS

21-0505

5/11/2021 7:37:49 PM

Motion by Neal, second by Herbst to adopt the Ordinance of the Plan Commission Rezoning 117 and 119 East Chellis Street from SR-5, Single Family Residential-5 Zoning Distinct to HI, Heavy Industrial Zoning Distinct.

Eric Lindman explained the idea behind purchasing this property was to expand the yard waste site, which would almost double it. It will give us more storage area and allow vehicles to come in off the street and move them through faster.

Yes Votes: 11 No Votes: 0 Result: PASS

21-0506

5/11/2021 7:38:48 PM

Motion by Rasmussen, second by Neal to adopt the Ordinance of the Plan Commission Rezoning 209, 211 & 215 Short Street and 1214 North 3rd Street from TF-10, Two-Flat Residential-10 Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for a four-unit multi-family development with associated parking

Yes Votes: 11 No Votes: 0 Result: PASS

21-0508

5/11/2021 7:40:18 PM

Motion by Herbst, second by Mariana to adopt the Ordinance of the Plan Commission Rezoning 617 and 621 Forest Street from

NMU, Neighborhood Mixed Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for office spars, vehicle sales and parking lot.

Yes Votes: 11 No Votes: 0 Result: PASS

21-0509

5/11/2021 7:46:34 PM

Motion by Rasmussen, second by Neal to adopt the Ordinance of the Plan Commission Rezoning 1520 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for a new mixed-use apartment development.

Deb Ryan expressed concerns about the traffic pattern due to entrance and exit on Elm Street. Rasmussen indicated CISM and the police department will continue to monitor the situation as the project comes together.

Yes Votes: 8 No Votes: 3 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	NO
11	Ryan, Debra	NO

21-0509

5/11/2021 7:48:23 PM

Motion by Rasmussen, second by Neal to adopt the Ordinance of the Plan Commission Rezoning 1601 Elm Street from SMU, Suburban Mixed-Use Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow for off-street parking for a new multi-family mixed-use development.

Ryan noted this is the lower terrace of the Mountain Lanes property and is planned for additional ground parking, but for the property across the street. She felt it could be a safety issue for people crossing mid-block and because of bus traffic during the day.

Yes Votes: 8 No Votes: 3 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	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Ryan, Debra	YES

Public Comment and Suggestions:

Debra Ryan, 702 Elm St, stated she is hearing from more transit riders and believed the Transit Commission needs a subcommittee of transit riders to provide more input.

Adjourn

5/11/2021 7:50:13 PM

Motion by Watson, second by Peckham to adjourn the meeting. Motion carried unanimously. Meeting adjourned 7:50 p.m.

Katie Rosenberg, Mayor
Leslie M. Kremer, City Clerk