

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL

held on Tuesday, May 25, 2021, In Council Chambers, beginning at 6:30 p.m.

Mayor Katie Rosenberg presiding

Roll Call

5/25/2021 6:31:39 PM

Roll Call indicated 10 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NV
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

Emergency Medical Services Week; Aging and Disability Resource Center Month; Asian American and Pacific Islander Heritage Month; Brain Tumor Awareness Month; Foster Care Month; Hmong American Veterans Memorial Day; Mental Health Awareness Month; National Nurses Month; Nation Water Safety Month; and A Community For All. *(All proclamations can be read on the city's website and in the Council packet.)*

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

- 1) Patrick Bacher, 505 S 22nd Ave, addressed the Council expressing his support and appreciation for "A Community For All" proclamation by Mayor Rosenberg.
- 2) Bruce Grau, 1115 N 10th St, a representative of Poor People's Campaign and a Wausau citizen, spoke in favor of the Affordable Housing Task Force.
- 3) La'Tanya Campbell, member of the Marathon County Diversity Affairs Commission and the City's Liberation and Freedom Committee, spoke in support of the Community For All proclamation.
- 4) Debra Ryan, 702 Elm St, spoke regarding affordable housing and read a letter from Pam Anderson providing some data.

Communications: Delivery of New Fire Trucks (Interim Fire Chief Barteck)

Mayor Rosenberg this will be delayed to the June meeting due to the weather.

Presentation: A Community For All (Mayor Rosenberg)

Mayor Rosenberg presented a PowerPoint that can be viewed: <https://www.youtube.com/watch?v=NKaCVSAw3d0>
Council comments followed.

Consent Agenda

5/25/2021 7:08:30 PM

Motion by Larson, second by Peckham to adopt Items on the Consent Agenda, as follows:

21-0501 Minutes of previous meeting (5/11/21)

21-0511 Initial Resolution of the Capital Improvements & Street Maintenance Committee Setting a public hearing for the vacation of an unpaved alley abutting 205 and 209.211 Short Street and 1202,1210 and 1212 North 3rd Street

21-0317 Resolution of the Capital Improvements & Street Maintenance Committee Approving 2021 North 12th Avenue Sidewalk Project and Authorization to Let Bids

21-0512 Resolution of the Capital Improvements & Street Maintenance Committee Approving storm sewer easement with Aedifix Builds, Inc. at 201 and 205 Short Street, 1201 North 2nd Street and 1204 North 3rd Street

21-0315 Resolution of the Capital Improvements & Street Maintenance Committee Approving Agreement for the Management and Maintenance of a Stormwater facility (Westside Real Estate LLC 7333 Stewart Avenue)

21-0516 Resolution of the Capital Improvements & Street Maintenance Committee Accepting Easement with Wisconsin Public Service to bury electrical conductors at 435 Adrian Street

21-0523 Resolution of the Capital Improvements & Street Maintenance Committee Approving Memorandum of Agreement with Wisconsin Department of Transportation for Establishing a Multi-Use Path on State-Owned Right-of-Way Along 72nd Avenue through the STH 29 Interchange

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

21-0517

5/25/2021 7:09:25 PM

Motion by Herbst, second by Neal to adopt Resolution of the Finance Committee Authorizing City Officials to Enter into a Professional Services Agreement with Ehlers Public Finance Advisors to provide Independent Investment advisory.

Deb Ryan questioned why the city needed someone to manage investments and felt the Finance Director and Assistant Finance Director should be able to handle it without having to pay for a consultant.

Phil Cossan, Ehler's, explained this is not a service that they typically provided to the city; they have done bond issue work and other special studies. He pointed out with the unknown of the American Recovery Act funds where there is a lot of guidance coming out on a weekly basis on how to use those funds and what is eligible, it was thought by city staff that Ehler's could help manage the flow of funds over time; assist with the investment of the funds to maximize return but make sure they have liquidity; and to ensure that the funds are available when they decide on projects. He noted the funds can be used for over a three year period. *Discussion followed.*

Yes Votes: 8 No Votes: 2 Abstain: 0 Not Voting: 1 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NV
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	NO

21-0519

5/25/2021 7:33:33 PM

Motion by Rasmussen, second by Herbst to adopt Resolution of the Finance Committee Authorizing the Issuance and Establishing parameters for the Sale of Not to Exceed \$5,655,000 General Obligation Promissory Notes, Series 2021A.

Phil Cossan, Ehler's, explained there are notes and bonds in the municipal world, with notes having an amortization schedule of 10 years or less and anything over 10 years is bonds. Before them tonight is one note issue and one bond issue. The second component is tax exempt or taxable. The tax exempt is a public purpose project, which is financing projects that everyone benefits from, such as roads, water, sewer, etc. For the purchaser of the bonds, the interest on that is exempt from federal tax. Taxable bonds are for a private activity, in this case the mall, as well as some work being done in TID #11 and #12.

Cossan stated the \$5,655,000 issue includes the city's 2021 capital projects, which is \$3,692,000 and a refund of the State Trust Fund loan taken out in 2020 for TID #6. He explained the plan was to take the State Trust Fund loan out on a short term basis and refinance it at lower rate, if the rates are lower, like they are today. He explained the process going forward to approve the financing. *Discussion followed.*

Yes Votes: 9 No Votes: 1 Abstain: 0 Not Voting: 1 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NV
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	YES

21-0520

5/25/2021 7:40:10 PM

Motion by Rasmussen, second by Watson to adopt Initial Resolution of the Finance Committee Authorizing \$1,630,000 General Obligation Bonds for Community Development Projects in Tax Incremental District No. 12.

Phil Cossan explained this initial resolution is basically for the mall project which is a private activity, making it taxable. The next item is the \$9,795,000 issue has two components, one is the \$1,630,000 for the mall project in TID #12 and the second is for the refinancing of the Taxable Note Anticipation Note that was taken out in 2018. *Discussion followed.*

Yes Votes: 7 No Votes: 3 Abstain: 0 Not Voting: 1 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NV
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

21-0521

5/25/2021 7:43:58 PM

Motion by Neal, second by Herbst to adopt Resolution of the Finance Committee Authorizing the Issuance and Establishing parameters for the Sale of Not to Exceed \$9,795,000 Taxable General Obligation Corporate Purpose Bonds, Series.

Phil Cossan clarified this brings together the refinancing for TIDs #11 and #12, making sure that they have the anticipated needed revenue coming from those tax increment districts to pay the debt service, along with the \$1.6 million for the mall. This the combination of the two and giving Ehler's the authorization to proceed with the sale. He stated when the NAN was taken out in 2018 the rate was 3.45% for five years and now finance it over a 15 year period with an anticipated rate around 2.5%.

Yes Votes: 7 No Votes: 3 Abstain: 0 Not Voting: 1 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NV
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

21-0108

5/25/2021 8:33:59 PM

Motion by Rasmussen, second by Herbst to adopt Resolution of the Public Health & Safety Committee considering the report Including the Findings of Fact, Conclusions of Law and Recommendation with regards to the Class B Beer & Liquor License of Timothy Nawrocki d/b/a Rocs Place for the premises located at 810 S. 3rd Avenue with 15 minute, oral arguments to be heard by the Complainant and Licensee.

Lou Larson indicated he would abstain from this item due to his personal relationship with Tim Nawrocki.

Oral arguments were presented by Attorney Tara Alfonso on behalf of the city and Attorney Daniel Cveykus representing Timothy Nawrocki. Comments were made Lisa Rasmussen, Chair of the Public Health & Safety Committee and Police Chief Ben Bliven. The meeting can be viewed: <https://www.youtube.com/watch?v=NKaCVSAw3d0>

Attorney Nate Miller asked the clerk to poll the Council as to whether they had read the report, including the Findings of Fact, Conclusions of Law and Recommendation of the Public Health & Safety Committee. Roll call was taken and the Council answered yes unanimously.

Vote for revocation of the license:

Yes Votes: 8 No Votes: 1 Abstain: 1 Not Voting: 1 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NV
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	ABS
11	Ryan, Debra	NO

21-0514

5/25/2021 9:23:03 PM

Motion by Watson, second by Neal to adopt Resolution of Economic Development Committee Approving Wausau Affordable Housing Regional Task Force as a special committee.

Tom Neal clarified this came through the ED Committee because that is where the discussion started and developed over time, but it does not in any way make this task force a subsidiary of the ED Committee and there is no oversight by the ED Committee.

Tom Kilian read “gentrification” is defined as a market-driven racial and socio-economic reconfiguration of urban communities that have suffered from a history of disinvestment. Displacement occurs when households are forced to move or are prevented from moving into a neighborhood due to conditions beyond their ability to control or prevent, such as rent increases. He referred to #14 on the Resolution list: “Analyze how displacement and gentrification susceptibility affects housing affordability.” He suggested adding a statement at the end that if we would determine that there’d be adverse impact, to also identify strategies to prevent or counter those adverse impacts. He felt that was a critical component because of the displacement and gentrification issues that have occurred in his district.

Sarah Watson commented she thought #15 “Equitable neighborhood rejuvenation” addressed Kilian’s concern because it basically says we want to see the data, but then we want action. Mayor Rosenberg noted 14 and 15 were added since the Economic Development Committee discussed the matter. She pulled those points from a report that she read about gentrification.

Watson questioned how citizens can apply for positions on the task force. Mayor Rosenberg stated the city’s website has a citizen participation form they can submit. <https://forms.co.marathon.wi.us/forms/CitizenParticipation> The Council will vote on the appointments. Watson questioned the timeline. Rosenberg indicated she would like to move forward as quickly as possible and would like to appoint at the June Council meeting.

Lisa Rasmussen felt it was important to remember that absent home ownership, when it comes to rental housing, it is a business and we are limited in how much we can manipulate and control the price point that something rents for. It is the landlord’s decision, so sometimes when housing isn’t affordable it is because that landlord needs that property to cash flow. She hoped that someone who volunteers for the task force would be a landlord who provides low income housing or reasonably priced rental units.

Discussion continued. Watson called the question to end discussion and vote; there was no opposition.

Yes Votes: 7 No Votes: 3 Abstain: 0 Not Voting: 1 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NV
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

20-1109

5/25/2021 9:23:40 PM

Motion by Rasmussen, second by Watson to adopt Resolution of Finance Committee Approving Modification of the 2021 Budget Fire Department Capital Replacement.

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

20-1109

5/25/2021 9:24:11 PM

Motion by Herbst, second by Peckham to adopt Resolution of Finance Committee Approving Modification of the 2021 Budget

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

21-0518

5/25/2021 9:24:46 PM

Motion by Watson, second by Neal to adopt Resolution of Parks & Recreation Committee Approving Tandem Mobility, LLC Master Services Agreement for operation of a bike share program.

Yes Votes: 9 No Votes: 1 Abstain: 0 Not Voting: 1 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NV
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

21-0513

5/25/2021 9:26:10 PM

Motion by Wadinski, second by Herbst to adopt Ordinance of Plan Commission Rezoning 510 South 32nd Avenue 13205 Seymour Lane from I, Institutional Zoning District to SR-2, Single Family Residential-2 Zoning District.

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

Suspend Rules

5/25/2021 9:26:39 PM

Motion by Watson, second by Rasmussen to Suspend Council Rules 1 Filing and 12(A) Referral of Resolutions.

Yes Votes: 9 No Votes: 1 Abstain: 0 Not Voting: 1 Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Martens, Michael	NV
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

21-0522

5/25/2021 9:27:15 PM

Motion by Wadinski, second by Herbst to adopt Resolution of the Common Council Approving Amendments to City-County Information Technology Commission Intergovernmental Agreement and Operating Agreement.

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

21-0522

5/25/2021 9:27:48 PM

Motion by Watson, second by Wadinski to adopt Resolution of the Common Council Approving citizen appointment to the City-County Information Technology Commission Board.

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

21-0517

5/25/2021 9:23:23 PM

Motion by Watson, second by Larson to adopt Resolution of the Finance Committee Authorizing the City of Wausau Mayor to accept to accept the US Treasury Coronavirus State and Local Fiscal Recovery Funds.

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

03-1007

5/25/2021 9:29:41 PM

Motion by Rasmussen, second by Neal to adopt Resolution of the Finance Committee Approving the 2021 Community Development Block Grant Program Allocation-updated allocation.

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

12-1014

5/25/2021 9:30:20 PM

Motion by Wadinski, second by Herbst to adopt Resolution of the Public Health & Safety Committee Amending Section 8.08.170 Licenses.

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

20-1109

5/25/2021 9:31:06 PM

Motion by Watson, second by Wadinski to adopt Resolution of the Finance Committee Authorizing the modification of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Wausau Municipal Code 3.40.010(a/ (Pet license late fee)

Sarah Watson stated at Finance Committee she made the motion to lower the late fee back to \$5 and to also reimburse any overages people paid in for the 2021 license year, with a fiscal impact of approximately \$14,000.

Lisa Rasmussen explained there is a distinct difference between the dog license fee, the late fee, and the citation for failure to license. The late fee is the source of the legal angst and that fee by statute should not be more than \$5.00. In 2012-13 there was a subcommittee looking at all things animal ownership related. One of the things to come out of that subcommittee was a recommendation to increase the late fee and increase the license fee to gain compliance. The city then offered credits for spay, neuter, and microchip as an incentive. She felt there was some interchangeable use of terms and some confusion as to what you can statutorily increase. At that point they all went up and we were working with Weston and both adopted the same fees.

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

Public Comment or Suggestions

Mayor Rosenberg stated the Wisconsin Economic Development Corporation awarded local community organizers Carmyn Hoen, Kayley McColley, Miah Medina, Christine Salm, Jaxon Seeger, and Gwen Taylor with the Diversity & Inclusion Award for the large political demonstration and peaceful march commemorating George Floyd and Black Lives Matter last year.

CLOSED SESSION pursuant to Section 19.85(1)(e) of the Wisconsin statutes for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons

require a closed session and Section 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 become involved regarding **compliance with development agreement by CGI Group Inc., successor to Collaborative Consulting, Inc. d/b/a Collaborative Domestic Solutions Center-Wausau LLC**

Motion by Neal, second by Kilian to adopt the Resolution regarding compliance with the development agreement by CGI Group Inc., and to discuss it in open session.

Anne Jacobson distributed and read the Resolution. She questioned if they wanted to define Full Time Employee as 40 hours a week and include it in the definition and if they wanted to include any hourly or salary minimums. Jacobson asked for the authority to confirm and/or negotiate the dates with CGI. *Discussion followed.*

Neal and Kilian withdrew their motion and Attorney Jacobson indicated she would meet with CGI to discuss the terms and the resolution would be brought back to Council.

Adjourn

5/25/2021

Motion by Wadinski, second by Neal to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:56 pm.

Katie Rosenberg, Mayor
Leslie M. Kremer, City Clerk