

OFFICIAL PROCEEDINGS OF THE MEETING OF THE WAUSAU COMMON COUNCIL

held on Tuesday, June 9, 2020 at 6:30 pm in the Council Chambers at City Hall.

Mayor Katie Rosenberg presiding.

Roll Call

06/09/2020

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 (<i>WebEx</i>)
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 proclaimed the observance of FLAG DAY on June 14, 2020 and asked that the citizens to honor our Flag and the men and women of the armed services who have served under it. Wherever the flag lies or flies, the message is clear: We rise and fall together, as one Nation and one people.

Mayor Rosenberg declared June 19, 2020 as JUNETEENTH in the City of Wausau and urged all citizens to become more aware of the significance of this celebration in African-American history and in the heritage of our nation.

Mayor Rosenberg proclaimed June as Pride Month in Wausau and stated we recognize and embrace the responsibility for the City of Wausau to set a positive example for the community in ensuring that our employment practices and work environments are respectful of all people, regardless of age, gender identity, race, color, religion, marital status, national origin, sexual orientation, or physical challenges.

Mayor Rosenberg proclaimed JUNE as DAIRY MONTH in the City of Wausau and encouraged all to salute the dairy farmers and the dairy industry for their contributions to our economy and to our dairy health.

Mayor Rosenberg proclaimed June, 2020, as ROLLER DERBY MONTH in the City of Wausau and partner with Mayor Mike Wiza in the City of Stevens Point in recognition of the hard work and dedication to the sport and to the community of Stevens Point and Wausau and the surrounding central Wisconsin area.

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

- 1) Tim Thurs, 1800 Baneberry Ct, spoke in favor of scheduling the athletic fields for organized sports.
- 2) Jay Stahl, resident of Wausau, spoke regarding Juneteenth.
- 3) Judith Miller, 903 Kickbusch St, spoke in opposition to opening the swimming pools.
- 4) Leslie Kremer, City Clerk, stated she received 19 emails in support of opening the athletic fields to allow for organized sports from: Tim Thurs, Gary Stockwell, Amy Dykstra, Jen Fictum, Paul Reinertson, Paul Kilde, Desi Klammer, Candy Thurs, Brian Fendos, Paul Rye, Amanda Schuett, Jon Winter, Melissa Stockwell Luke Rodemeier, Jodi Sitte, Sarah Werth Gage Stockwell, Chip and Barb Winter, and Garrison Stockwell.
- 5) Leslie Kremer stated 2 emails were received in support of opening pools in the City of Wausau from Jamie Rye and Sarah Werth.
- 6) Leslie Kremer stated an email was received from Krista Salas in support of the rezoning of 512 Franklin Street.
- 7) Pat Peckham read an email from former Aldersperson David Nutting in support of opening the pools.

Consent Agenda

06/09/2020

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

Ryan requested 20-0610 be removed from the Consent Agenda.

20-0501 Minutes of previous meetings. (5/19/20 & 5/26/20)

20-0505 Joint Resolution of the Airport Committee and Finance Committee Approving Wausau Flying Service to utilize federal CARES funding to relieve Wausau Flying Service of its direct expenses during the Stay At Home Order and utilizing the remainder of the CARES funding for use in airport development projects, such as a front end loader

01-0718 Joint Resolution of the Airport Committee and Finance Committee Authorizing execution of a ten (10) year lease between the City of Wausau (“City”) and the United States of America (“Lessee”) for use by the Federal Aviation Administration for antenna and rack space at the City of Wausau Downtown Airport

18-0411 Joint Resolution of the Airport Committee and Finance Committee Approving Sale of Patrick a/k/a Pat Wallschlaeger and Jeanne Wallschlaeger’s hangar to Merchant Property Investment LLC, including approval of new ground lease to Merchant Property Investment LLC and approval of termination of current ground lease with Wallschlaeger

20-0605 Ordinance of the Plan Commission Rezoning 516 Steuben Street from TF-10, Two Flat Residential-10 Zoning District to UMU, Urban Mixed Use Zoning District.

20-0108 Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses

20-0606 Ordinance of the Public Health & Safety Committee Amending Section 5.04.030 Investigation of certain applicants.

Yes Votes: 11 No Votes: 0 Result: PASS

20-0610 06/09/2020

Motion by Rasmussen, second by Martens to adopt the Ordinance of the Public Health & Safety Committee Repealing and replacing subsections (a) and (b) of Section 15.24.010 Boundaries.

Yes Votes: 11 No Votes: 0 Result: PASS

20-0603 06/09/2020

Motion by Watson, second by Herbst to confirm the Mayor’s Appointments to various boards, committees and commissions.

Yes Votes: 11 No Votes: 0 Result: PASS

19-1109 Amendment 06/09/2020

Motion by Rasmussen, second by Wadinski to amend the 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) (2020 Comprehensive Fee Schedule) – to add license holders receiving the fee reduction will attest/certify that they will follow the CDC and WEDC safe reopen guidelines.

Maryanne Groat indicated she researched what other communities were doing and found there were a couple in the Milwaukee area that required business owners to certify they would follow the CDC and WEDC Guidelines for Safe Reopening in order to receive a fee reduction.

Yes Votes: 11 No Votes: 0 Result: PASS

19-1109 06/09/2020

Motion by Rasmussen, second by Wadinski to adopt the Resolution of the Finance Committee Authorizing the modification of fees as amended on Council floor.

Yes Votes: 11 No Votes: 0 Result: PASS

20-0611 06/09/2020

Motion by Neal, second by Watson to adopt the Resolution of the Park & Recreation Committee Approving following CDC Guidelines with respect to playground facilities and signing them closed.

Larson asked for clarification regarding whether playgrounds are closed and if it would be enforced or is just a formality. Mayor Rosenberg stated playgrounds will have signs posted stating they are closed. Rasmussen added the playgrounds will be signed as closed however, they will not be fenced or taped off and people will be notified that if they play on the equipment it is not sanitized.

Yes Votes: 9 No Votes: 2 Abstain: 0 Not Voting: 0 Result: PASS

<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	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

20-0612

06/09/2020

Motion by Neal, second by Peckham to adopt the Resolution of the Park & Recreation Committee Approving the opening of athletic fields for organized sports.

Neal stated he supported it because there will be organization and the kids will be under direct adult supervision who have indicated they are taking measures to ensure safety.

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	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

20-0613

06/09/2020

Motion by Neal, second by Peckham to adopt the Resolution of the Park & Recreation Committee Approving the opening of two of the City's three swimming pools for the 2020 summer season.

Rasmussen stated after Park & Rec Committee met and recommended the opening of two pools the issue was forwarded to Public Health & Safety Committee. She noted the park staff has indicated they have funding in their budget to fund operations at all three pools if this Council would choose to open them. PH&S and Finance concurred that if pools were opened, it would be better to open all three pools to thin out attendees between them instead of two and to choose which one to close. She stated the majority of her constituents favor closing pools.

Discussion followed.

Watson questioned how much would be saved by closing the pools and what projects the funds could be used for. Jamey Polley, Parks Director, stated if we did not open the pools this year they would save the levy \$123,447. This money could be used however the Council wished. Some of the projects the Parks Department has coming forward for 2021 that we could move up to this year are: playground replacements (which is on a 5 year cycle) and there are six to seven more to replace; decking replacement at Barker Stewart Island; maintenance to Memorial Park seawall; operation equipment at the shop that needs updating; gravel base for a portion of the River Edge Trail; masonry work at Stewart Park; Sylvan Hill's parking lot and tennis court improvements. Small projects are: renovations to the soccer field at Brockmeyer Park; ball diamond infields; shelter updates; reconstruction Schofield Park parking lot; and a secondary snow gun.

Yes Votes: 0 No Votes: 11 Result: FAIL

Motion by Larson, second by Herbst to adopt the Resolution of the Public Health & Safety Committee Approving the opening of up to three (3) City of Wausau public pools beginning July 1, 2020.

Peckham stated he believes pools can be opened safely. He felt the CDC Guidelines are broad and although they would probably advise against it, he felt with the precautions being proposed it could be done. He commented if the threat of the virus being spread at pools were really significant enough the Health Department would be doing more than just "recommending" they not open. He indicated he inquired of the Health Department if they authority to issue an order, would they do that. He stated Mr. Grosskurth responded: "If Marathon County Health Department had the authority to issue an order, doing so is not taken lightly. An order would not be written to close the pools unless there was cause based on findings at a specific pool or in a community to warrant a temporary closure. The decision would be based on epidemiological findings linking multiple cases to the pool facility and involving what measures would be necessary to prevent, suppress, or control Covid-19 transmission."

Rasmussen stated she would rather be proactive than reactive. She did not want to ask our employees to go out and expose themselves to this situation. She hoped if pools were opened and any transmission should happen, that we would not wait for an official order to shut them down. She pointed out the Park Department came up with a plan to open the pools because they were asked to do so in the event that was the vote of the Council.

Discussion followed in favor of closing.

Larson indicated he has received an overwhelming response from his constituents, but not unanimous, for opening the pools and therefore he would vote in favor.

Yes Votes: 2 No Votes: 9 Abstain: 0 Not Voting: 0 Result: FAIL

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

20-0604 to Table

06/09/2020

Motion by Ryan, second by Neal to table the Ordinance of the Plan Commission Rezoning 512 Franklin Street from TF-10, Two Flat Residential-10 Zoning District to NMU, Neighborhood Mixed Use Zoning District.

Neal felt the petition was based on convenience more than need and pointed out there is some resistance to it in the neighborhood.

Martens stated one of the reasons why the zoning code was rewritten was to allow new and creative uses or buildings within our community. One of the things discussed and identified was the need for mixed use in primarily residential areas to create density and vibrancy. This may be a special case because it is within an identified historical district, but the use fits what we want to do with these properties. He did not want to hold a property owner to task for what could happen in the future for that property.

Following Discussion, vote to table:

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	NO
2	Martens, Michael	NO
3	Kilian, Tom	NO
4	Neal, Tom	YES
5	Wadinski, Jim	NO
6	McElhaney, Becky	NO
7	Rasmussen, Lisa	NO

8	Watson, Sarah	NO
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Ryan, Debra	YES

20-0604

06/09/2020

Motion by Martens, second by Watson so adopt the Ordinance of the Plan Commission Rezoning 512 Franklin Street from TF-10, Two Flat Residential-10 Zoning District to NMU, Neighborhood Mixed Use Zoning District.

Yes Votes: 7 No Votes: 4 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	NO
5	Wadinski, Jim	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	NO
10	Larson, Lou	NO
11	Ryan, Debra	NO

87-0220

06/09/2020

Motion by Rasmussen, second by Watson to adopt the Ordinance of the Wausau Water Works Commission Amending Section 13.64.020, Basis for charges (Sewer Service Charges).

Ryan questioned when the plan for the water and sewage plant is to be finished. Lindman stated later in 2022 for both the drinking water and the wastewater facilities. Ryan questioned if there was some latitude to wait to raise the rates until the project is near completion instead of raising rates now. Lindman explained the Public Service Commission (PSC) has already implemented the rates for the water; they have done the rate case study and have made their determination. He stated they will be going through another full rate case on the drinking water side beginning in 2021. It takes approximately six to eight months to go through a case. They want to make sure the revenue generated from residents and commercial, industrial and other users is balanced. He indicated they also want to try to protect our low income and low water users within the city with lower rates. This has been successful in other communities.

Rasmussen stated it was important to approve this item and the next two items to keep the projects on schedule. She reminded them the city is under some DNR mandates and with the way the project timeline is laid out it will be finished with just a couple months to spare on the deadline.

Kilian questioned if the increase was needed to pay some debt until a substantial portion of the facility was built or developed. Lindman confirmed that and stated it is also for the Department of Administration (DOA) who determines what we can borrow. Support for the borrowing is from the rates, so before the DOA would authorize our ability to borrow with these loans through the DNR we had to have the rates in place. He noted the sewer rates have to be approved first to support that level of borrowing.

Yes Votes: 9 No Votes: 2 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	NO

20-0608

06/09/2020

Motion by Rasmussen, second by Herbst to adopt the Resolution of the Wausau Water Works Commission Authorizing the issuance and sale of up to \$44,756,287 Water System Revenue Bonds, Series 2020B, and providing for other details and covenants with respect thereto.

Yes Votes: 9 No Votes: 2 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	NO

20-0609

06/09/2020

Motion by Watson, second by Rasmussen to adopt the Resolution of the Wausau Water Works Commission Authorizing the issuance and sale of up to \$89,923,286 Sewer System Revenue Bonds, Series 2020C, and providing for other details and covenants with respect thereto.

Yes Votes: 9 No Votes: 2 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	NO

Suspend Rules

06/09/2020

Motion by Neal, second by Peckham to Suspend the Rules - 6(B) Filing and 12 (A) Referral of Resolutions.

Yes Votes: 11 No Votes: 0 Result: PASS

02-0432

06/09/2020

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

Yes Votes: 11 No Votes: 0 Result: PASS

00-0808

06/09/2020

Motion by Watson, second by Herbst to adopt the Resolution of the Finance Committee Approving amendment to agreement between City of Wausau and Associated Trust Company, N.A. and withdrawal of funds from Wausau Cemetery Perpetual Trust fund.

Yes Votes: 11 No Votes: 0 Result: PASS

20-0607

06/09/2020

Motion by Herbst, second by Ryan to adopt the Resolution of the Finance Committee Approving Intergovernmental Agreement for Law Enforcement Services for the 2020 Democratic National Convention in Milwaukee, Wisconsin.

Chief Bliven explained this was a request from the City of Milwaukee for assistance with the Democratic National Convention being held there. There is a huge need for law enforcement resources to provide safety and security of that area of the community. He noted the State of Wisconsin set aside some funds a couple of years ago, specifically for mobile field force teams, to be able to train on a state wide level and to integrate teams for events like this. The intention from the State of Wisconsin was to be able to provide trained teams to be able to activate. He felt it was their responsibility to help in this way.

Yes Votes: 11 No Votes: 0 Result: PASS

Public Comments and Suggestions:

- 1) Carl Martens questioned what Wausau was doing to eliminate racism and if they had a plan.
- 2) Dawn Herbst read an email from Shannon Waffles lifeguards being essential.

Adjourn

06/09/2020

Motion by Martens, second by Neal to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:33 pm.

Katie Rosenberg, Mayor
Leslie M. Kremer, City Clerk