

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL

held on Tuesday, June 14, 2022, in Council Chambers, beginning at 6:30 p.m.,
Mayor Rosenberg presiding.

Roll Call

6/14/2022

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

Proclamations:

Mayor Rosenberg proclaimed June 2022 as *Dairy Month*; June 6, 2022 as *D-Day*; June 15, 2022 as *Elder Abuse Awareness Day*; June 14, 2022 as *Flag Day*; June 19, 2022 as *Juneteenth Day*; June 2022 as *Men's Health Month*; June 2022 as *Pride Month*; and June 20, 2022 as *World Refugee Day*.

Presentations:

Council Meeting Video: <https://www.youtube.com/watch?v=TTa2QJvcXFQ>

Affordable Housing Task Force – Ben Lee

Ben Lee, United Way Director of Community Impact, oversees Marathon County Hunger Coalition, and United Way Housing Task Force. Recommendations of the Task Force: 1) Development of affordable housing rental units on available lot(s); 2) Utilizing City owned lots into development of single-family homes which would then be sold to income qualifying households; 3) Direct payments to landlords/mortgage companies to reduce housing costs administered by NCCAP; 4) Cash subsidies to qualifying individuals/families; and 5) Request council advocate to allow land banking in Wisconsin. Lee indicated they recommended the use of ARPA funds for the 1 - 4 of the recommendations.

Mall Redevelopment Update on Block Four - WOZ

Chuck Ghidorzi, Executive Director for the Wausau Opportunity Zone (WOZ) and Dave Eckmann, Executive Director for WOZ, the Greater Wausau Prosperity Partnership, and the Wausau Chamber. Ghidorzi indicated they chose T. Wall Enterprises for the work on Block Four for a five-story building with 154 units, 17,500 square feet of retail, secured parking, along with numerous other amenities. Construction is expected to begin in the first quarter of 2023. The second construction project will be the Children's Imaginarium with 13,700 square feet that will essentially be cut out of the northwest corner of the HOM Furniture building and will start in March of 2023 with anticipated opening October 2023. The third construction project has to do with the new streets design.

Public Comment: Pre-registered citizens for matters appearing on the agenda

- 1) Bruce Grau, 1115 N 10th St, spoke regarding the lack of affordable housing and urged action on the task force recommendations.
- 2) Christine Martens, 1228 Arthur St, spoke regarding loss of trees through street reconstruction projects. She felt it was important to preserve as many mature trees as possible.
- 3) Sandra Kelch, 802 Augusta Ave, spoke on homelessness in the community and the lack of safe zones and affordable housing.
- 4) Amanda Ladecki, 616 Sumner St, Director Community Outreach Task Force, commented on the recent passing of a homeless person and asked the Council to find solutions

Communications: Wisconsin Command College Graduate Lt. Jill Kurtzhals (Mayor)

Mayor Rosenberg announced Lt. Jill Kurtzhals has graduated on Friday from the Wisconsin Command College through the UW Extension. She indicated Cpt. Todd Baeten informed her this is a very rigorous program to prepare law enforcement leaders to provide increasingly greater service to their communities.

Cpt. Todd Baeten added the Wisconsin Command College is a nine-month long program requiring six weeks of in-residency at the State Patrol Academy which really positions law enforcement supervisors, command staff members, executives to perform at an

increasingly higher level. Upon completion of this program all students/participants also receive their Wisconsin Certified Public Manager designation.

Consent Agenda

6/14/2022

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

22-0501 Minutes of previous meeting (5/24/2022)

18-0406 Resolution of the Public Health & Safety Committee Approving Updates to City of Wausau's Americans with Disabilities Act Title II Policy, Accommodation Request, Notice, Grievance Procedure and Complaint Form

22-0108 Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses as Indicated.

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

22-0603

6/14/2022

Motion by Rasmussen, second by Lukens to confirm the Mayor's Appointments.

Bicycle and Pedestrian Advisory *Committee* – Ben Gerhardt, Veronica Hope, Tyler Wildman
Transit Commission – Kyle Turner

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

22-0609

6/14/2022

Motion by Rasmussen, second by Larson to adopt the Resolution of the Capital Improvements & Street Maintenance Committee Approving State/Municipal Agreement for North 18th Street from STH 52.

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

22-0605

6/14/2022

Motion by Henke, second by Lukens to adopt the Resolution of the Economic Development Committee Accepting the Proposal from Asch Properties, LLC for Infused at 180 E Wausau Ave.

Gary Gisselman indicated he opposed this because we can do more for \$40,000. He stated the city spent a lot of money on this whole area (the Wausau Chemical area) and he felt the city should try to recoup some of that. He pointed out that the city just recently paid \$300,000 for a building just down the street from this building. He felt \$40,000 was a mere pittance with regard with what we should be getting back in the sale of some of this land.

Doug Diny agreed although he liked the project. He commented the city seems to have a trend of buying high and selling low. He indicated the entire property is \$7.4 to \$9 million. Becky McElhaney stated it was her understanding that the building was assessed as \$37,500.

Lisa Rasmussen stated one of the things the ED Committee liked was that the project takes a property that was essentially a manufacturing use with a building condition that needs some work and changes it to a unique and different use that dovetails with the vision we had for that area. It creates an environmentally sustainable public indoor green space. She noted there was not a public/private partnership requested for the further development of the building. They are willing to buy it and invest their own money with a well laid out plan.

Chad Henke, Vice Chair of ED Committee, pointed out this was the only response to the RFP. He felt if they go back and ask for a lot more money for the property, we might not get any responses back at all. He pointed out they are looking to invest \$250,000 of their own money and it will be good to collect tax revenue on it.

Randy Fifrick explained this is a unique opportunity with this building and there will be some conditions in terms of them improving it with the façade and provisions preventing them from flipping it as part of that negotiation. He noted the roof is leaking on that building of 14,000 square feet and there are some significant costs in repairing the roof.

Rick Rubow, City Assessor, stated the last assessment done on the property (180 E Wausau Avenue) was in 2019 prior to the 2020 revaluation, which was \$382,000.

Lou Larson commented it was a good project and he was glad the city was not giving it to them for \$1. He questioned if there were any contamination issues with the property. Ffrick indicated a Phase I was done when the building was purchased, and nothing came back. It was his understanding there were some issues with the ground water underneath, which is not a concern for this project, specifically because they are not looking to excavate at all, and the blacktop will stay.

Point of Order

Doug Diny indicated he wished to speak; Mayor Rosenberg pointed out the Council rule is to allow members to speak twice to an issue or put it to a vote to allow him to speak a third time. A vote was taken - YES: Tom Kilian, Gary Gisselman, Becky McElhaney, Lou Larson, Chad Henke. NO: Carol Lukens, Michael Martens, Doug Diny, Lisa Rasmussen. Motion carried 5-4.

Doug Diny commented it was stated there are still negotiations left to do and questioned if the development agreement would be revisited or if this was the final vote. Mayor Rosenberg stated it was her understanding it was not a true development agreement, it is a land sale so the normal things that go with land transactions would happen. Attorney Anne Jacobson confirmed it is not a development agreement in the sense that it will include any financial provisions because there is no financial ask. Staff will begin negotiations for the sale of the property. *Discussion continued.*

Yes Votes: 6 No Votes: 3 Abstain: 0 Not Voting: 2 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	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	NV
9	Herbst, Dawn	NV
10	Larson, Lou	YES
11	Henke, Chad	YES

19-0514

6/14/2022

Motion by Rasmussen, second by Henke to adopt the Resolution of the Economic Development Committee Waiving noncompliance of a condition precedent to the City's obligation to provide installments of Tax Increment Grants as set forth in the Development Agreement between the City and 1401 Elm Street, LLC and Roland Lokre for property located at 1401 Elm Street.

Lisa Rasmussen stated one of the discussions at committee was whether the recording of the deed, the mortgage versus the loan and the city's development agreement, in the proper order would have affected the outcome. Outside counsel indicated it does not and the taxpayer risk is minimal. The building is up, and the project is proceeding as it was proposed. Since the developer has largely held up their part of the bargain it made sense to declare the agreement substantially complete and waive this off. She noted this was done with other projects historically, one at 3rd & Bridge and one with the renovation of Wausau Mine Company, so we have some precedent.

Tom Kilian felt over time it would be positive if we did start to consistently enforce our agreements.

Yes Votes: 6 No Votes: 3 Abstain: 0 Not Voting: 2 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	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	NV
9	Herbst, Dawn	NV
10	Larson, Lou	NO
11	Henke, Chad	YES

Motion by Martens, second by Larson to adopt the Resolution of the Finance Committee Approving and Adopting the Budget for American Rescue Plan Coronavirus State and Local Fiscal Recovery Fund Funded Projects - Firefighter Positions.

Lisa Rasmussen stated Finance Committee does not like to use ARPA funds to create lasting budget burdens, however, from the presentations given by the Fire Department and the urgency to staff up to a higher level they recognized that this is a limited term engagement from a funding standpoint. The committee will be working to wean off that funding and work those expenses into the Fire Department budget in a phased approach over the years.

Maryanne Groat stated they did authorize a position for the homeless specialist in the Police Department which also be an ongoing expense, so we would adopt a similar strategy where we slowly transfer the funding of these positions onto the levy.

Michael Martens commented Finance Committee had robust discussions on this item but came to the point that if we didn't get the Fire Department the funding it needed now, they would not be able to recruit new candidates graduating out of the technical colleges. The funding needs to be in place in order to go forward with recruiting. It was understood that this would be smoothed out over the next three years. *Discussion continued with Chief Barteck.*

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

22-0608

6/14/2022

Motion by Diny, second by Martens to adopt the Resolution of the Human Resources Committee Approving PAL Eligibility Waiver for Sick Leave Usage from July 1, 2021 to June 12, 2022.

Lisa Rasmussen noted in the HR Committee minutes one of the Assistant City Attorneys indicated that PAL (Perfect Attendance Leave) presents an incentive for people to come to work sick. Rasmussen commented it has been our motivation over the last few years to have people stay home when they are sick and not incentivize them to bring illness to work and pass it to other employees.

Toni Vanderboom clarified if they vote no, PAL will remain unchanged and continue to be administered the way it has been and the changes that were made to PAL during Covid would no longer be effective. She explained what this essentially states is from July 1st through today if you use sick leave, you will still get PAL, but if you use sick leave for a non-Covid related reason before that date or use sick leave for any reason after today you will not get PAL.

Becky McElhaney clarified this is a separate issue where during Covid there were mandates and people were made to quarantine which did not count against PAL. That changed a year ago July 2021 where the sick leave policy reverted back to normal and there was no more Covid policy and since July 2021 departments no longer tracked why employees sick to determine if it was Covid or something else. She indicated at the end of last term, Alderperson Jim Wadinski in fairness, wanted HR Committee to discuss reverting back to allowing PAL. This went through committee on a 3 -2 vote. She explained what this would do if they pass it is that anyone who had taken sick leave would get PAL.

Vanderboom stated if this passes HR staff and payroll will have to individually evaluate 232 employees to figure out what their impact would be on their PAL schedules. There are different schedules for union employees and non-represented employees. She reiterated the resolution provides that if you used sick leave between July 1, 2021 and today, it won't count against you for PAL eligibility, regardless of why you were out sick. If you were sick before July 1st, if it was Covid related it is forgiven, but not for any other reason. She commented we could have someone who was out sick for a cold on June 30th who will not get PAL and someone else who was out sick for a cold July 1st who could not be potentially eligible for PAL.

McElhaney did not feel they should come back a year later and try to reverse this and she did not support it. She would eventually like to find another kind of incentive program instead of incentivizing people to come to work sick.

Doug Diny stated in the Police Department the Chief was concerned that several officers were forced to lose their PAL because they had an exposure to Covid. Diny suggested a way to simply this is if an employee feels they lost their PAL unjustly they should be able to request to have it back and it be considered on a case-by-case basis. He felt if people were forced to take off to protect others due to an exposure and not because they were sick, they are being penalized by that policy. *Discussion continued.*

Yes Votes: 2 No Votes: 7 Abstain: 0 Not Voting: 2 Result: FAIL

<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	NO
6	McElhaney, Becky	NO
7	Rasmussen, Lisa	NO
8	Watson, Sarah	NV
9	Herbst, Dawn	NV
10	Larson, Lou	NO
11	Henke, Chad	NO

Suspend Rules

6/14/2022

Motion by Larson, second by Rasmussen to Suspend Rules 6(B) Filing and 12(A) Referral of Resolutions.

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

22-0604

6/14/2022

Motion by Rasmussen, second by Henke to adopt the Resolution of the Common Council Approving Temporary Easement Agreement for the use of Primary Connection Health Care Inc. property by the City of Wausau for Athletic Park event parking.

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

03-1007

6/14/2022

Motion by Diny, second by Rasmussen to adopt the Resolution of the Finance Committee Approving the 2022 Community Development Block Grant Program Allocation.

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

21-1109B

6/14/2022

Resolution of the Finance Committee Approving and Adopting the Budget for American Rescue Plan Coronavirus State and Local Fiscal Recovery Fund Funded Projects - Alternate Drinking Water Supplies. **WITHDRAWN**

21-1109C

6/14/2022

Motion by Lukens, second by Diny to adopt the Resolution of the Finance Committee Approving Modification of the 2022 Budget - General Fund carryover.

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

22-0606

6/14/2022

Motion by Larson, second by Diny to adopt the Resolution of the Human Resources Committee Approving Creation of Alternate Work Arrangement Policy.

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

22-0607

6/14/2022

Motion by Rasmussen, second by Gisselman to adopt the Resolution of the Human Resources Committee Approving Reallocation of Four Bus Operator I Positions to Bus Operator II.

Becky McElhaney stated she had great worries for the future of our bus system because they are down eight or nine drivers. She stated they basically don't have drivers for the school routes next year. There have been issues with recruiting, so wages were raised, but when Covid hit it got worse. There is mandatory overtime for drivers, supervisors are driving, even the director is driving. They were not able to staff any of the events this summer due to fatigue. This resolution is proposing to change these part-time positions into full-time positions to see if it attracts more interest. It will give flexibility to hire people fulltime or part-time and get staffed and trained before the school year.

Carol Lukens stated as a teacher she knew firsthand this is really critical. She stated even this summer there were some changes for summer school where they had to create some extra routes.

Doug Diny questioned what the drivers would be doing as full-time employees when they were driving. Vanderboom indicated the Transit Department has identified some additional tasks for them to do. Historically the part-time drivers took on cleaning obligations and other tasks of that nature. She noted HR is currently bargaining with this union and looking at some other approaches that they will see as part of the contract when it comes before Council.

Diny questioned why they were in the school busing business instead of yellow school district buses. Greg Seubert, Transit Director, explained previous to this they have hired part-time almost exclusively. He commented they had a difficult time hiring before Covid, the challenge was the part-time with the split between the two shifts and it has only gotten worse. Seubert pointed out the school district isn't obligated to provide service within two miles of the school and that is the service that Metro Ride provides. He stated we receive state and federal funds to do this and if we discontinued the service, wouldn't get those funds. He commented he did not know who would fill that gap if they did not.

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

12-0219

6/14/2022

Joint Resolution of the Human Resources Committee and the Finance Committee Approving Creation of Retirement Notice Incentive.
No Action - Deferred to next meeting.

21-1109D

6/14/2022

Joint Resolution of the Human Resources Committee and the Finance Committee Approving Budget Amendment for External HR Director Recruitment. ***WITHDRAWN resolution not needed***

01-0115

6/14/2022

Motion by McElhaney, second by Larson to adopt the Resolution of the Public Health & Safety Committee Relocating District 6 Polling Place from Thrive Church to Sylvan Hill Park located at 1329 Sylvan Street.

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

Public Comment or Suggestions:

None

Adjournment

6/14/2022

Motion by Henke, second by Lukens to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:40 pm.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk