OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, August 8, 2023 in Council Chambers, beginning at 6:30 p.m.,
Mayor Katie Rosenberg presiding.

Roll Call 8/08/2023

Roll Call indicated 10 members present.

District	Alderperson	Present
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	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Henke, Chad	*NV*

Mayor Rosenberg indicated if there was no objection, she was pulling file number 23-0815 Resolution of the Economic Development Committee Approving the First Amendment to the Development Agreement for Foundry on 3rd Ph I, LLC, and will set up a special meeting next week to discuss it.

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

1) Chuck Ghidorzi provided an update on the WOZ mall redevelopment project. He indicated it is moving along quickly relative to permits, plans completed, architectural reviews, the raising of equity and banking relationships.
2) Nick Patterson, T. Wall Enterprises, requested that Foundry on Third be placed back on the agenda to be voted on this evening. He stated the plans are done and into the city and e-plan review to which they have addressed their comments. He commented he would hate for this to be pulled from the agenda when they are so close to getting their final approvals on the development.

Consent Agenda 8/08/2023

Motion by Larson. second by Lukens to adopt all the items on the Consent Agenda as follows:

23-0701 Minutes of a previous meeting (07/11/2023)

23-0807 Resolution of the Capital Improvements & Street Maintenance Committee Approving State/Municipal Agreement for Grand Avenue from Lakeview Drive to Kent Street.

23-0809 Resolution of the Capital Improvements & Street Maintenance Committee Approving Revocable Occupancy Permit for encroachment located at 7255 Stewart Avenue.

23-0810 Resolution of the Capital Improvements & Street Maintenance Committee Approving Revocable Occupancy Permit for encroachment located at 7120 Stewart Avenue.

23-0811 Resolution of the Capital Improvements & Street Maintenance Committee Approving Revocable Occupancy Permit for encroachment located at 7019 Stewart Avenue.

23-0812 Resolution of the Capital Improvements & Street Maintenance Committee Approving Revocable Occupancy Permit for encroachment located at 5000 Stewart Avenue.

23-0813 Resolution of the Capital Improvements & Street Maintenance Committee Approving Revocable Occupancy Permit for encroachment located at 4901 Stewart Avenue.

23-0806 CISM Resolution Approving the installation of appropriate signage on Riverview Drive from 3736 Riverview Drive north to Evergreen Road concerning "No Dumping."

23-0805 Ordinance of the Capital Improvements & Street Maintenance Committee Amending Section 10.20.080(a) designating no parking on east side of Riverview Drive from 3736 Riverview Drive north to Evergreen Road.

23-0816 Resolution of the Economic Development Committee Approving termination of recorded Deed Restrictions and recording revised Deed Restrictions for 145 S. 84th Avenue.

20-1011 Resolution of the Economic Development Committee Approving Appointment of Tiffany Rodriguez-Lee as the next Poet Laureate of the City

23-0818 Resolution of the Finance Committee Approving State/Municipal Agreement for Wausau LED Streetlight Conversion.

23-0804 Resolution of the Plan Commission Approving Final Plat for the Stettin Acres (Town of Stettin,145100-145900 Stettin Drive)

23-0108 Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses as Indicated.

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

23-0803 8/08/2023

Motion by Watson, second by Lukens to confirm the Mayor's Appointments of Alora Koval and Avia Lynch to the Citizens Advisory Committee – CDBG; Alora Koval to the Wausau Arts Commission; and Ben Lee, Kristin Slonski, and Tom Holster to the Affordable Housing Task Force.

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

23-0808 8/08/2023

Motion by Lukens, second by Herbst to adopt the Resolution of the Finance Committee Approving the overhire of one police officer within the Police Department.

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

22-1109 8/08/2023

Motion by Lukens, second by McElhaney to adopt the Resolution of the Finance Committee Approving 2023 Budget Modifications – Seal Coat Project.

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

18-0911 8/08/2023

Motion by Rasmussen, second by Watson to adopt the Resolution of the Economic Development Committee Approving Termination of Lease Agreement with Marathon County UW-Extension – 700 Grand Avenue.

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

Point of Order regarding 23-0815

Doug Diny stated file number 23-0815 was properly noticed on the agenda and people traveled here to conduct that business so he felt the Council should consider it and at very minimum, provide some explanation to determine whether they should delay it to a future date.

Mayor Rosenberg referred to the Parliamentarian, City Attorney Anne Jacobson, as to the point of order question. Jacobson questioned if Diny was objecting to the mayor's removal of the resolution from the agenda. Diny confirmed he was objecting. Jacobson stated we do not approve the agendas at the beginning of the meeting, but because there is not full consensus to remove it the mayor can call the file number to see if there are any other motions.

23-0815 Resolution of the Economic Development Approving the First Amendment to the Development Agreement for Foundry on 3rd Ph I, LLC

Motion by Kilian, second by Diny to bring back the Resolution to the Agenda.

Gary Gisselman stated to his knowledge through the years an alderperson or the mayor could pull an item from the agenda, and it was never challenged. He questioned if they were establishing that precedent or rule tonight and whether there should be some kind of action to have the body vote on this. Anne Jacobson provided an opinion. https://www.youtube.com/watch?v=l8lAoPXh9L8 (16.30 / 56.20) He also pointed out the media was informed that it would be pulled and therefore action should not be taken .

Mayor Rosenberg clarified her decision to pull the item was because a couple of Council members requested more time and a closed session with outside counsel.

23-0815 Table 8/08/2023

Motion by Rasmussen, second by Larson to table the Resolution of the Economic Development Approving the First Amendment to the Development Agreement for Foundry on 3rd – to a special meeting of the Common Council.

Lisa Rasmussen commented that often holding off on an item to a future meeting usually yields better communication and a better result. She did not feel acting on it tonight was a prudent decision because a couple members have asked for additional time and closed session to ask questions of our outside legal counsel who writes our development agreements.

Becky McElhaney indicated she would vote no if she did not get the information shed needed through closed session. She stated she needed to be able to make an educated vote and her constituents were asking questions that she did not have answers for.

Tom Kilian stated at public comment tonight we heard from Mr. Ghidorzi and Mr. Patterson that things are moving along smoothly and swiftly, so perhaps an extension may not be needed anymore. He commented he was concerned because we are talking about a project the city has committed $10.8 million of taxpayer money over 21 years and just hours before the meeting, we apparently as a body do not cohesively have the knowledge needed to take appropriate action with an item that has been agendized.

Doug Diny stated many people may be viewing the meeting tonight for this specific item on the agenda and we should keep this moving or at a minimum give people an explanation. *Discussion continued.* https://www.youtube.com/watch?v=l8lAoPXh9L8

Vote to table:

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

District	Alderperson	Vote
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Tom	NO
4	Diny, Doug	NO
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	NO
10	Larson, Lou	YES
11	Henke, Chad	*NV*

23-0820 8/08/2023

Motion by Rasmussen, second by Diny to adopt the Resolution of the Finance Committee Approving the proposed Axon contract for Public Safety Software Suite of Services including body worn and in-squad cameras, tasers, interview room recording and digital evidence management and storage and related budget impacts.

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

23-0821 8/08/2023

Motion by Lukens, second by Rasmussen to adopt the Resolution of the Finance Committee Approving acceptance of Public Health Vending Machine Program (PHVM) $80,000 for the purchase of two outdoor health vending machines, setup, maintenance, and supplies.

Finance Director, Maryanne Groat, stated we will be bringing back a budget modification so that this grant is incorporated into the budget.

Lou Larson indicated a constituent called him in strong opposition to this and he questioned where these two machines were going to be placed. Captain Melinda Pauls, Wausau PD, explained they worked with some community partners for the two machines to be placed outdoors at the Community Campus on Grand Avenue and Health First on S 3rd Avenue. Larson stated he supported saving lives but his concerns were for vandalism or abuse by Narcan availability encouraging drug use. He questioned if it was possible to have some kind of authority or supervision to prevent this. Pauls stated she understood the concern and one of things they looked at was where to place them. She noted there are currently many opportunities for people to receive Narcan, but it isn't 24-hour availability. These machines containing Fentanyl test strips and Narcan will make these life-saving measures available 24 hours a day. They wanted public areas where they would be easily accessible. These machines have been around for decades in other countries, and they are finding very little vandalism of the machines.

Tom Kilian fully supported implementation of these machines but would be concerned about putting them in a place that is highly scrutinized or surveilled because citizens need to feel comfortable to use them without feeling they are being watched by big brother.

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

District	Alderperson	Vote
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	YES
9	Herbst, Dawn	NO
10	Larson, Lou	YES
11	Henke, Chad	*NV*

Suspend the Rules 8/08/2023

Motion by Lukens, second by Watson to Suspend Rule 6(B) Filing.

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

23-0108A 8/08/2023

Motion by Watson, second by Rasmussen to adopt the Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses as Indicated (from August 8th Special meeting).

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

22-1109A 8/08/2023

Motion by Rasmussen, second by Watson to adopt the Resolution of the Finance Committee Approving City's accepted Offer to Purchase for 1514 N. 2nd Street and related budget modification.

Gary Gisselman questioned if this was agreed upon by the seller and how did the city come into negotiation. Randy Fifrick explained he was contacted by the seller's agent, knowing that we have seven adjacent city-owned lots. He indicated they took a tour of it and put together an offer to purchase with the joint Finance and Economic Development Committees consideration in closed session. He indicated the price was the asking price of the seller and the house is currently vacant. There was discussion on putting out an RFP for development of all these properties in this area. He indicated they have really been focusing on that section of city-owned properties between Bridge and DeKalb Streets.

Lisa Rasmussen stated this property, which is between 2nd and 3rd Streets on Bridge Street, is strategically located.

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

District	Alderperson	Vote
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	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	*NV*

23-0819 8/08/2023

Motion by Herbst, second by Lukens to adopt the Resolution of the Human Resources Committee Approving ATU Local 1168 Union Grievance Arbitration Settlement.

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

Public Comment & Suggestions

None

Adjourn 8/08/2023

Motion by Herbst, second by Watson to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:25 pm.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk