OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, September 27, 2022, in Council Chambers, beginning at 6:30 p.m.,
Mayor Rosenberg presiding.

Roll Call 9/27/2022

Roll Call indicated 9 members present.

District	Alderperson	Present
1	Lukens, Carol	YES
2	Martens, Michael	*NV*
3	Kilian, Tom	YES
4	Diny, Doug	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	*NV*
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

Proclamations:

September 15 - October 15, 2022 as Hispanic Heritage Month; October 15, 2022 as White Cane Safety Day; October, 2022 as Breast Cancer Awareness Month; October, 2022 as Dwarfism Awareness and Acceptance Month; September, 2022 as International; Wisconsin American Ginseng Month; October 2-8, 2022 as Mental Health Awareness Week; October 9-15, 2022 as Fire Prevention Week; October 9-15, 2022 as Healthcare Security and Safety Week

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

Meeting Video for full comments: https://www.youtube.com/watch?v=maG3j8P7uVI

1. Bruce Grau, 1115 N 10th St, representing Poor People's Campaign, spoke is support of remediation of 1300 Cleveland Avenue site to residential level and affordable housing rather than high end development.
2. Darrin Wasniewski, 222 W. Washington Ave, Madison, representing ARP Wisconsin, spoke in support of the mall redevelopment project and its age-friendly lens.
3. Mario Diaz, 1701 Maple Hill Rd, Plant Director representing 3M in Wausau, spoke in support of the Foundry on 3rd project and its ability to attract new employees to the city.
4. Susan Lang, 226331 Kingbird Ave, President of Emmerich Properties, rental housing, primarily for middle, lower income and special needs, commented on the importance of development agreements and business support of the project.
5. William Bertram, 2207 Mount View Blvd, Retired Business Executive of Marathon Electric, spoke full support of Foundry on 3rd for attracting young professionals and recruiting employees to Wausau.
6. Dr. Jeannie Word, 1000 W. Campus Dr, President of Northcentral Technical College, in support of the Foundry on 3rd project to attract and retain people to the community.
7. Owen R. Jones, 723 Country Club Rd, Schofield, serves on the CDA Board for Schofield, spoke in favor of Foundry on 3rd, providing a scenario of affordable housing in that space.
8. Chad Kane, 500 First St, President of WoodTrust Bank with locations in the Dudley Tower and the corner of 3rd & Bridge/ Volunteer Board President for the Woodson YMCA Foundation; and member of GWPP, supports the downtown revitalization plan and the proposed Foundry on 3rd development.
9. Timothy Parker, 6 N Hill Rd, President and CEO of the Community Foundation of North Central Wisconsin, supports the project as it provides housing for employees and attracts businesses.
10. Jeff Sargent, 920 Winton St, Executive Director and CEO of United Way of Marathon County, spoke in support of the Foundry on 3rd development.
11. Rich Totzke, 22404 Bluebell Ln, Chief Operating Officer for the Greenheck Group, spoke in support of the Foundry on 3rd development.
12. Bob Tess, 3201 Oak Ave, Stevens Point, Chief Finance and Business Services Officer for the Wausau School District, and serves on the Joint Review Board, supports the project, and pointed out tax incremental financing has no adverse effect on the Wausau School District budget
13. Dan Sosnowski, 724 S 9th Ave, part owner of Poito's Pizza, felt the downtown needs help and the development project will attract people that can help solve the problems.
14. Sandi Kelch, 802 Augusta Ave, spoke against the budget modification for the fencing project under the Scott Street Bridge that would keep the homeless out, and about the need for alternative housing.

15. Amanda Ladecki, 616 Sumner St, spoke against fencing under the Scott Street Bridge until more options are found for the homeless to shelter.
16. Tom Neal, 916 Hamilton St, former Alderperson for District #4, indicated he continues to support the downtown redevelopment with Foundry on 3rd.
17. Paul PePree, 4207 Augustine Ave, Schofield, Chairman of the Greater Wausau Chamber of Commerce and on the Board of Directors of GWPP, urged approval of the Foundry on 3rd project.
18. Jeff Wicklander, 333 Pine Ridge Blvd, President of Aspirus Wausau Hospital, and Senior Vice President for Aspirus, Inc., encouraged support of the mall redevelopment and the Foundry on 3rd project from an employer's perspective.
19. Ryan Neville, 239687 Cty Rd O, Regional President of the Marshfield Clinic Health System spoke in support of the mall redevelopment and the Foundry on 3rd project also from an employer's perspective.
20. Jeff Stubbe, 500 N 1st St, Executive Director of the Dwight & Linda Davis Foundation, commented this is a very popular project in the community and urged support.
21. Tyler Vogt, 145824 Impatiens Dr, owner of Malarkey's Pub, encouraged citizens to engage by coming to public planning meetings on these developments.
22. Lada Xiong Vang, 1105 Monroe St, indicated she strongly supported the redevelopment downtown as an active community member residing here by choice.
23. Chuck Ghidorzi, 1 Corporate Dr, Managing Director of the revitalization of downtown, spoke of moving forward with the Foundry on 3rd, the Children's Imaginarium, and our streets.
24. Lukas Lindner, 917 Single Ave, concerned citizens and representing the next generation urged moving forward with the Foundry on 3rd project, giving the youth a reason to stay here.
25. Keith Hilts, 415 Seymour St, Superintendent of the Wausau School District, talked about the importance of a dynamic downtown and asked the Council to approve the project to help the youth build a future here.
26. James Tipple, 314 Geralds Ct, former Mayor, talked about the many great projects that the city has benefited from over the years and encouraged the Council to vote in favor of the mall redevelopment project.
27. Thomas Gibson, Chancellor of UWSP, expressed strong support of the Foundry on 3rd to grow our community and revitalize the downtown and attract young professionals.
28. Mary Ellen Schill, 151381 Jonquil Ln, Director and Shareholder of the Law Firm of Ruder Ware, expressed the firm's support for the Foundry on 3rd project which will attract and retain professionals.
29. David Eckman, 16 Fulton St, #300, President & CEO of the Chamber of Commerce and President of GWPP, talked of the importance of downtown vibrancy.
30. Tim White, 227521 Swan Ave, Executive Director of Wausau Central Wisconsin Convention and Visitors Bureau, spoke in support of the mall revitalization project making Wausau an attractive destination.

Consent Agenda 9/27/2022

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

Mayor Rosenberg stated there was request to remove 22-0910 from the Consent Agenda for discussion.

~~**22-0901** Minutes of the previous meeting. (9/13/22~~) *Minutes not completed - Withdrawn*

22-0909 Resolution of the Capital Improvements & Street Maintenance Committee Establishing Assessment Rates for 2023 New Street Construction Projects

18-1011 Resolution of the Capital Improvements & Street Maintenance Committee Approving Revised State/Municipal Agreement for the Business Campus Trail – 72nd Avenue, Stewart Avenue to International Drive

75-1138 Ordinance of the Public Health & Safety Committee Amending Section 2.18.050 Procedure. Adopted 9-0.

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

22-0910 Refer 9/27/2022

Motion by Larson, second by Gisselman to refer the Resolution of the Capital Improvements & Street Maintenance Committee Approving easement agreement with Mathew Aschbrenner and Kristen Aschbrenner adjacent to 1100 Highland Park Boulevard back to CISM Committee.

City Attorney Anne Jacobson explained that she in consultation with Assistant Attorney Tara Alfonso, who staffs the CISM Committee, felt it was prudent to pull this item from the Consent Agenda in the spirit of transparency in the event any of the committee member's votes were based on a mistaken assumption. She stated the property owners adjacent to city right-of-way (ROW) inquired about a building permit and were told they could not build there because it was dedicated public ROW for Adams Street. The improvement of the ROW was then reported after the fact by a neighbor to the Zoning & Inspections Department. If this previously dedicated ROW were vacated our preliminary research shows it would go to the owners who have occupied the ROW entirely. The neighbor whose consent would be required for the vacation is the one who reported them and has indicated objection. The CISM minutes imply that it is acceptable because it was thought to occupy only a tiny part of the ROW, however, the improvements occupy nearly the entire ROW shown on a new map in the packet. She questioned with this clarification if their recommendation would be the same; if they would charge them for the easement; or if they change their mind about granting the easement. She indicated Alfonso also made some recommended changes in the best interests of the city to the easement document itself by limiting the improvements to what has already been built there; requiring its removal if the city should terminate the easement for any reason; and requiring insurance for their activities in the ROW.

Lisa Rasmussen stated CISM Committee discussed in granting the easement the intent was to allow for the structure that had already been built, but then be clear with the homeowner that they were not to be building additional things there. The easement was for what placed in the ROW, understanding also that there was no intention by the city when putting this property on the official map to extend any street or road through. The easement we need is for utility access with the caveat the homeowner will have to remove the structure at their own expense if the city needs to work on utilities there.

Lou Larson felt this appears to be neighbor against neighbor and felt this should be referred back to CISM Committee. Gisselman agreed there was enough new information presented here that the committee should review it again.

Vote to refer back:

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

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

22-0108 9/27/2022

Motion by Diny, second by Kilian to postpone action on the Resolution of the Public Health & Safety Committee Approving Operator's License for Kim Waits, until after the next PH&S Committee meeting.

Lisa Rasmussen stated the PH&S Committee has published criteria that is used for a recommendation of denial and Ms. Waits has an extensive background that led to the denial recommendation. She stated they were advised by legal to exercise caution as a committee and to follow the criteria because if they make an emotional decision based on the story told by the applicant, they could be treading in liability territory. There were legitimate reasons for the Police Department recommendation and after Ms. Wait's appeal the recommendation to deny stands.

Lou Larson indicated he voted to approve the license at committee because she is a single mom supporting three children and perhaps, they should re-examine how things are done at PH&S. He felt it was better to give her a second chance than to deny and possibly put her on the street as homeless.

Chad Henke indicated he wholeheartedly believed in giving second chances, but the ramifications were too great. He stated at the next PH&S meeting they are going to review the procedures for denial.

Doug Diny stated he was the other vote in favor of granting the license and wondered why we allow people to appeal if we are not going to listen to what they have to say. Rasmussen stated statutorily we are obligated to allow them to show proof of rehabilitation. They can bring in the appropriate documentation and/or offer references of support, as well as point out any inaccuracies in the record. She noted Assistant Attorney Nate Miller will be providing some training on how the decisions are made and what the statutes require at the next meeting of PH&S.

Larson indicated he reached out to her place on employment at the Tobacco Outlet and since they are willing to reinvest in her, we ought to be, too. Diny felt since training is upcoming at PH&S this should be tabled to the next Council meeting. *Discussion continued.*

Vote to Table to next meeting:

Yes Votes: 4 No Votes: 5 Abstain: 0 Not Voting: 2 Result: FAIL

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

Motion by Herbst, second by Larson to adopt the Resolution of the Public Health & Safety Committee Approving Operator's License for Kim Waits.

Tom Kilian commented the job requires a license and without it this person would lose their job. He felt some of these legal terms such as liability have been invoked in past at Council and turned out to not be accurate, but they influenced decisions. He requested a legal opinion before we take an action that is going to result in someone losing their job.

Attorney Jacobson stated she longer staffs PH&S which is now staffed by Nathan Miller. She indicated she did review this case just before this meeting regarding the policy. She indicated it became a concern for Attorney Miller when he noticed it didn't appear they were following it and could raise some liability for the city. She noted his legal memo was included in the Council packet explaining the statutes and the policy. She pointed out we can't be more lenient but can be stricter than the state statutes. She stated while we want to give second chances, it was important to treat every applicant consistently and fairly to avoid discrimination.

Yes Votes: 3 No Votes: 6 Abstain: 0 Not Voting: 2 Result: FAIL

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

22-0911 9/27/2022

Motion by Rasmussen, second by Watson to adopt the Resolution of the Finance Committee Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed $3,795,000 General Obligation Promissory Notes, Series 2022A.

Phil Cossan, Ehler's, reviewed the pre-sale report and the parameters resolution. He stated this is a 10-year note which gives maximum flexibility to move the money around between projects. Most of this is DPW related projects and the proposal is to do a competitive bond sale on October 20, 2022. The city's current bond rating is AA3 by Moody's and there will be a revised rating as part of this process and an Official Statement will also be prepared.

Cossan stated the city's practice has been to have a debt service levy of not to exceed $4,123,000 and the goal is always to make sure it stays at that number or lower, and because of that the city's tax rate for debt is dropping on annual basis. This is a parameters resolution which gives Ehler's permission to proceed with this financing and if certain parameters are met when the final bids are received, then the award is made by staff authorization as opposed to full Council approval.

Phil Cossan stated there are five parameters in the resolution prepared by the city's bond attorney Quarles & Brady centering around the bidding parameters that are established when issuing debt. One parameter is not to exceed $3,795,000; the second is a maximum and a minimum bid to provide flexibility and garner as many bids from different banks and underwriters. The fourth, and most important, is that we cannot exceed a maximum true interest cost of 4.5%.

Cossan indicated they put together an analysis of the city's outstanding obligations. At one point there was a period of time when the city was over 50% of the allowed borrowing capacity but are well under than now. It is approximately 43 – 44%, even including this issue, so the city has pared back on debt over the last couple years and the trend will continue because of paying off so much debt annually. Final results of the sale will be shared with the Council through staff and the closing would happen on November 9, 2022.

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

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

21-1109 9/27/2022

Motion by Herbst, second by Watson 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 -- Catholic Charities Year-Round Warming Center.

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

21-1109E 9/27/2022

Motion by Rasmussen, second by Herbst to adopt the Resolution of the Finance Committee Approving and Modification of the 2022 Budget for Fencing Project.

Tom Kilian stated the function of a fence is to either keep something in or keep someone or something out and just because the project may have approved does not mean it has to be given more money and the quickest way to kill something is to defund it.

Lisa Rasmussen stated regarding the timing of this project Eric Lindman indicated before this project would proceed the 24-hour services for the homeless as well as the night shelter year-round should be in place. She felt as a community we need to stop being okay with the bridge as a shelter option.

Carol Lukens stated she was concerned about the safety of people under the bridge and questioned if the funds could be used towards something else relative to the homeless if the fence project is not going to move forward right now.

Gary Gisselman indicated he was voting against the resolution because he did not feel it was a solution to the homelessness issue. There are going to be homeless individuals in this city and this fencing is detrimental to any kind of solution that we are trying to put a human face to.

Eric Lindman explained the lead time for the fencing is about 16 -18 weeks out, so it needs to be ordered to have it ready for next spring.

Police Chief Ben Bliven agreed it is not a solution to homelessness and was never conceived to be that. It is an option to keep our homeless individuals safe. He indicated he has personally been down on the dam when pulling dead bodies out of the river because they are falling into it. He did not want that to happen again and that is the purpose of the fence. He stated the living conditions are deplorable under that bridge and this fence needs to be put up. He reiterated it not about resolving homelessness and his department has been at the front of trying to resolve the issue. We have more ARPA funds and foundations to help with solutions.

Yes Votes: 5 | No Votes: 4 | Abstain: 0 | Not Voting: 2 | Result: FAIL (*2/3 Vote required*)

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

21-1109F 9/27/2022

Motion by Watson, second by Herbst to adopt the Resolution of the Finance Committee Authorizing the Wausau Police Department to accept the award of the Wisconsin Department of Administration Grant and execute a memorandum of an agreement and incorporate the grant into the 2022 budget.

Tom Kilian questioned if there is a license plate reader will it be used surgically when there is a need or is the anticipated use to be ready plates at will. Chief Bliven stated the license plate readers collect every license plate that passes the camera. That data is stored for 30 days, and our role in using that data will be both proactive and reactive. Proactively if there is a stolen car that is listed in NCIC as stolen or is another wanted vehicle for amber alerts. It would also be reactive when there is a crime committed with a description of a vehicle such as, a red van with a roof rack. We can enter “red van, roof rack” and find all vehicles that have passed the cameras in the last 30 days with that description.

Kilian indicated he had concerns with the dragnet surveillance aspect of this and questioned if the police would entertain using it in a more reactive target way, rather than running every resident’s plate through a reader. Bliven stated they will look at the data, if necessary, for legitimate investigations; they won’t be tracking people and don’t have the time or personnel to do so.

Yes Votes: 7 | No Votes: 2 | Abstain: 0 | Not Voting: 2 | Result: PASS

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

12-0217 9/27/2022

Motion by Herbst, second by Gisselman to adopt the Resolution of the Human Resources Committee Approving Selection of Gallagher & Co., for Market Salary Survey and Master Agreement for Professional Services.

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

22-0912 9/27/2022

Motion by Larson, second by Rasmussen to adopt the Joint Resolution of the Capital Improvement & Street Maintenance Committee and the Plan Commission Approving Transportation Project Plat for the reconstruction of Stewart Avenue from 72nd Avenue to 48th Avenue.

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

Suspend the Rules 9/27/2022

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

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

21-1109B Table 9/27/2022

Motion by Gisselman, second by Kilian to table the Resolution of the Finance Committee Approving and Adopting the Budget for professional services related to supplemental site investigation and remedial action options report from GEI (Tasks 1-4) to the next Council meeting.

Maryanne Groat stated at the Finance Committee meeting they approved Tasks 1 -4 in the resolution and delayed Tasks 5 – 8. Lisa Rasmussen explained Tasks 1-4 will get the testing for PFAS screening done, but a hold is put on the rest until grant dollars can be investigated.

Tom Kilian pointed out if you compare the agenda item on the Finance Agenda with the same on the Council Agenda, you can see the address (1300 Cleveland Avenue) was inadvertently left off the Council Agenda. He indicated although he supported the action taken in Finance, because it is a controversial and important location that the absence of the address on the agenda posed challenge for the public to clearly understand what was being voted on. He felt it should be held over to the next meeting where it can be properly agendized with the address. Attorney Jacobson agreed the agenda would have been clearer if the address had been listed. *Discussion continued.*

Vote to postpone:

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

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

21-1109C 9/27/2022

Motion by Watson, second by Diny to adopt the Resolution from the Finance Committees Approving and Adopting the Budget for professional services related to ARPA subrecipient contract and procurement advisory services.

Anne Jacobson noted in the second to the last Whereas or the last Whereas before the Be it Resolved; it states Finance recommended executing a contract with Booth Management. She asked they agree by consensus to add Booth Management Contract to the Be it Resolved paragraph, as well as to authorize the appropriate city officials to execute it.

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

21-1109D 9/27/2022

Motion by Rasmussen, second by Watson to adopt the Joint Resolution of the Human Resources Committee and the Finance Committee Authorizing the Wausau Fire Department to accept the award of the Federal Emergency Management Agency (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) Grant, to add nine additional FTE firefighters to the Fire Department Roster for a three-year period beginning 1/1/2023.

Fire Chief Robert Barteck commented this was historic for the Wausau Fire Department founded in 1869 and reviewed the process that led to this moment of being awarded this grant.

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

Closed Session 9/27/2022

Motion by Lukens, second by Henke to convene in Closed Session pursuant to 19.85(1)(e) of the Wisconsin Statues for deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: relating to approval of the Development Agreement between City of Wausau and Foundry on 3rd Ph 1, LLC (Reg. Agent T. Wall 301 Wash Mgr, LLC).

Lou Larson questioned the need for Closed Session. Lisa Rasmussen questioned if there was new or additional information pertaining to the agreement that needed closed session discussion, otherwise she also felt they should stay in open session discussion. Liz Brodek stated there was not anything new.

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

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

19-0921 9/27/2022

Motion by Rasmussen, second by Watson to adopt Joint Resolution of the Finance Committee and Economic Development Committee Approving Development Agreement between City of Wausau and Foundry on 3rd PH 1, LLC (Reg. Agent T. Wall 301 Wash Mgr, LLC) and approving tax increment financing incentives.

Liz Brodek provided opening comments on the mall redevelopment timeline to this point. She stated a key point of the development agreement is that it is a Reverse TID, which means the city does not put any upfront money into this development. The developer is paid after the building is up with funds and increment that the project creates, and the city retains 20% of that increment for other projects in the TIF District. We have the option to pre-pay in whole or in part, which means there is flexibility in the payment structure to allow for a faster payoff of city debt. Provisions about litigation have been built in that ensure the developer has dropped all Riverlife litigation and that no TIF payments occur the duration of an assessment dispute. She noted there is no need for city approval other than zoning and public funding assistance.

Link to meeting video on YouTube for full Council discussion and comments: https://www.youtube.com/watch?v=maG3j8P7uVI

Yes Votes: 6 No Votes: 3 Abstain: 0 Not Voting: 2 Result: PASS

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

19-0921 9/27/2022

Motion by Henke, second by Watson to adopt the Resolution of the Plan Commission Amending the General Development Plan at 301 & 411 Washington Street to allow for a mixed-use development with underground parking, commercial on the first floor and apartments above, in a PUD, Planned Unit Development Zoning District.

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

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

Adjournment 9/27/2022

Motion by Watson, second by Henke to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:05 pm.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk