

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL

held on Tuesday, December 14, 2021, in Council presiding. Chambers, beginning at 6:30 p.m.,
Mayor Katie Rosenberg presiding.

Roll Call

12/14/2021 6:30:47 PM

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
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

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

- 1) Thomas Brown, 715 N 5th Ave, requested the City of Wausau require Covid vaccinations for all city employees. He also spoke against the one-time lump sum bonuses. He felt employees should be paid appropriately instead of given bonuses and that money should be spent on something physical, such as roads.

Communications:

Clerk's Appointments to the Absentee Board of Canvassers for a term expiring December 31, 2023, pursuant to Wisconsin Stats. 7.53(2)(a)1

Consent Agenda

12/14/2021 6:34:37 PM

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

21-1101 Minutes of the previous meeting (11/23/21).

21-1210 Preliminary Resolution of the Capital Improvements & Street Maintenance Committee Levying Special Assessments for 2022 Alley Paving Project.

21-1211 Preliminary Resolution of the Capital Improvements & Street Maintenance Committee Levying Special Assessments for 2022 Street Construction Project.

03-0717 Resolution of the Finance Committee Approving Municipality Hold for Cause Services Agreement for the Impoundment, care, treatment and/or humane disposal of animals taken into Custody by law enforcement or humane officers and animals held for cause, between the Humane Society of Marathon County, Inc. and the City of Wausau, from January 1, 2022 through December 31, 2023.

03-0717 Resolution of the Finance Committee Approving Purchase of Animal Impoundment Services Agreement for the Impoundment, care, treatment and/or humane disposal of non-dog strays taken into custody by law enforcement or humane officers, between the Humane Society of Marathon County, Inc. and the City of Wausau, from January 1, 2022 through December 31, 2022.

12-1214 Resolution of the Finance Committee Approving of Intergovernmental Humane Officer Services Agreement between the City of Wausau and Everest Metropolitan Police Department from January 1, 2022 through December 31, 2022.

21-1208 Ordinance of the Plan Commission Rezoning 710 Grant Street from TF-10, Two-Flat Residential-10 Zoning District to PUD, Planned Unit Development Zoning District and approve the General Development Plan to allow Commercial storage and residential use.

21-0108 Resolution of the Public Health & Safety Committee Approving or Denying Various Licenses, as Indicated.

18-0909 Resolution of the Wausau Water Works Commission Approving contract with City of Schofield for treatment of raw sewage.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1203

12/14/2021 6:35:24 PM

Motion by Wadinski, second by Rasmussen to confirm the Clerk's Appointments to members of the Board of Election Officials for a term ending December 31, 2023.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1206

12/14/2021 6:35:57 PM

Motion by Wadinski, second by Neal to adopt the Joint Ordinance of the Capital Improvements & Street Maintenance Committee and the Plan Commission Annexing territory from the Town of Stettin to the City of Wausau (Dean Grube - 311 N. 36th Avenue)

Yes Votes: 11 No Votes: 0 Result: PASS

21-1209

12/14/21 6:36:34 PM

Motion by Neal, second by Kilian to adopt the Resolution of the Economic Development Committee Approving lease agreement with Seth Carson for property at 180 E. Wausau Avenue

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	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

21-1109

12/14/2021 6:50:46 PM

Motion by Rasmussen, second by Herbst to adopt 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) (2022 Comprehensive Fes, Schedule)

Tom Kilian questioned where the complaints were coming from regarding Lot 8 on River Drive being unattractive and asked Maryanne Groat for clarification/rationale for the increase in the parking fees. Groat explained the city had a parking study done in 2014 and the recommendation was to create an affordable parking lot for downtown employees to park. Lot 8 was not heavily used so the price was reduced to \$5.00 per month, however, it has not made the impact intended and very few people use the lot for daytime parking while working. She stated it has basically become a storage facility, with a multitude of campers and trailers parked there, in addition to cars that people aren't using. The downtown people have indicated they are unhappy with that lot's appearance, and it is hard for parking enforcement regarding permits as many don't have license plates. She commented the whole thing isn't working as it was designed to and there is inexpensive parking available in the Jefferson Ramp where downtown employees have now elected to park. The ramp is closer and more convenient for them for walking as opposed to coming up the hill from River Drive.

Kilian questioned if that lot was where the Outreach Task Force bus is currently located and how it would impact them. Groat responded that it was the lot, but the Police Department authorized free parking for them because of their non-profit affiliation. Kilian pointed out the annual rate has gone up from \$55 to \$440. Groat pointed out people are electing to park their campers there because it is so cheap, but the downtown is really not the appropriate place for long term storage and there are other choices in the private sector.

Jim Wadinski commented he also felt the fee structure was somewhat high and suggested the CISM Committee take up the issue and implement some parking restrictions there. Groat indicated they considered that option at an internal meeting with Eric Lindman, Lt. Cord Buckner from PD, and Attorney Nate Miller, but they decided they preferred this option to increase fees and not to restrict. From a staff perspective they felt it would drive people to consider other parking choices for their campers.

Kilian did not feel they should use financial penalties to price out regular folks from using city property. Wadinski commented with redevelopment coming to the downtown and the possibility of more businesses, perhaps the lot should remain affordable for that lot for employees and suggested restricting the parking from 2:00 AM – 6:00 AM.

Yes Votes: 8 No Votes: 3 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	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Ryan, Debra	NO

03-1110

12/14/2021 6:51:32 PM

Motion by Wadinski, second by Watson to adopt the Joint Resolution of the Human Resources Committee and the Finance Committee Approving an Amendment to the Part-Time, Temporary and Seasonal Pay Schedule

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	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

12-0219

12/14/2021 6:52:48 PM

Motion by Rasmussen, second by Herbst to adopt the Joint Resolution of the Human Resources Committee and the Finance Committee Approving adjustment to the vacation accrual schedule in Section 8.04 Vacation of the Employee Handbook

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	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

21-1213 Refer Back

12/14/2021 7:02:29 PM

Motion by McElhaney, second by Rasmussen to Refer the Joint Resolution of the Human Resources Committee and the Finance Committee Approving a One-Time, Lump Sum Additional Compensation to Designated Non-Represented Employees back to the

Human Resources Committee.

Becky McElhaney stated there has been a lot of confusion and misinformation floating around on this item. She clarified HR Committee was tasked by Finance and CISM to find a solution for the non-represented employees as a recruitment and retention tool. She commented they tried to be as fair as possible. Two steps were eliminated for new entry employees which resulted in compression, and therefore the lump sum payment for employees past midpoint. The word “bonus” seemed to be an issue and suddenly the pandemic and hazard pay got brought into the issue, which was not ever discussed at HR Committee. This was not meant to be a bonus or some employees as recognition for Covid work. The goal is to pay good wages to all employees represented or not and not to pit one against the other. She wanted this referred back to committee because of all the confusion surrounding it and the accusations of it being union versus non-union. She stated this is not being sent back to discuss pandemic or hazard pay, just to clarify the lump sum payment.

Lou Larson stated he initially supported this but was having second thoughts because of the division it could cause between employees. He questioned why the non-represented employees were entitled to something the represented employees were not. He stated he did not want to exercise any divisive measures in our workforce and was no longer sure that it was in the best interests.

Tom Kilian agreed it should be referred back because it essentially segments and create disparate treatment among employees, particularly between union and non-reps because it seems to just equalize the difference. He acknowledged that union contracts reap better benefits and payments for workers and non-union contracts tend to be deficient. He wanted the disparity to be neutralized and wanted to see the fiscal components of giving it to all employees.

Lisa Rasmussen agreed it needed to be re-evaluated specifically for the terminology. She felt once the word “bonus” came out it created a volume of misunderstanding which snowballed and compounded by communications that were issued from our organized labor unions, local labor council, and both chiefs of our public safety departments. She stated whenever you have groups of workers who have the ability to negotiate every two years and groups that never can, you automatically have disparity whether you want it or not. This does not need to be about union and non-union, it needs to be about what the consequences are of that disparity, especially in the work group that has no power to negotiate.

Vote to refer back to HR:

Yes Votes: 11 No Votes: 0 Result: PASS

21-1207

12/14/2021 7:03:16 PM

Motion by Watson, second by Larson to adopt the Resolution of the Park & Recreation Committee Authorizing the approval of Wausau/Marathon County Parks, Recreation & Forestry Sponsorship Policy and Wausau/Marathon County Parks, Recreation & Forestry Naming Guidelines and Criteria on behalf of the City.

Yes Votes: 11 No Votes: 0 Result: PASS

16-0704

12/14/2021 7:06:09 PM

Motion by Herbst, second by Rasmussen to adopt the Resolution of the Wausau Water Works Commission Approving application for and administration of funds from the Safe Drinking Water Loan Program.

Deb Ryan questioned if the lead lateral replacement will be part of this program. She indicated she had some neighbors that don't want to be told that they have to replace the lead lateral or have it done within a year. She stated there could be some options of how to filter the system that may be less expensive.

Eric Lindman clarified this resolution allows us to apply for the forgivable loan for the lead service line replacement, which has been done the last three or four years. The DNR wants us to request on an annual basis now instead of multiple years.

Yes Votes: 11 No Votes: 0 Result: PASS

Suspend the Rules

12/14/2021 7:06:41 PM

Motion by Watson, second by Peckham to Suspend Rule 6(B) Filing and 12(A) Referral of Resolutions (2/3 vote required)

Yes Votes: 11 No Votes: 0 Result: PASS

19-1113

12/14/2021 7:08:12 PM

Motion by Neal, second by Watson to adopt the Ordinance of the Plan Commission Amending Section 23.01.23 Definitions, Section 23.02.04 Interpretation of zoning district boundaries, Section 23.03.28 Accessory land uses and structures, Section 23.10.21 Notice of public hearings, Section 23.10.22 Public meetings, Section 23.10.31 Zoning map amendment, Section 23.10.44 Planned unit

development review and approval procedure.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1213

12/14/2021 7:10:05 PM

Motion by Rasmussen, second by Larson to adopt the Resolution of the Common Council Approving City's Waiver of First Right of Refusal to Repurchase property at 715, 717, 719, 721 and 723 S. 72nd Avenue from Fong Family, LLC.

Kilian questioned if there was a reason they were dispersing these properties all at the same time or if this was just something routine. Anne Jacobson stated she did not know why the LLC decided to sell the property before the end of the year, but they do need the city's consent to waive the right to repurchase because of the consistent deed restrictions we have required against all the properties.

Yes Votes: 11 No Votes: 0 Result: PASS

01-0904

12/14/2021 7:10:48 PM

Motion by Watson, second by Herbst to adopt the Resolution of the Common Council Approving Termination of Recorded Deed Restrictions and Recording Set of Revised Deed Restrictions for 500 N. 72nd Avenue and 7300 International Drive.

Yes Votes: 11 No Votes: 0 Result: PASS

21-1212

12/14/2021 7:13:05 PM

Motion by Herbst, second by Watson to adopt the resolution of the Common Council Approving the hiring of special counsel and authorizing the City Attorney to hire and manage outside legal counsel engaged to advise the Ethics Board In the matter of the Complaint of William Harris against Alderperson Debra Ryan.

Mayor Rosenberg stated discussion must be focused very narrowly on the scope of whether or not this body will authorize the hiring of an outside attorney, rather than any substantial discussion of the topic.

Deb Ryan indicated she would abstain from voting.

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

<u>District</u>	<u>Alderperson</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	ABS

Public Comment or Suggestions:

None

Closed Session

12/14/2021 7:14:58 PM

Motion by Martens, second by Herbst to convene In CLOSED SESSION pursuant to 19.85(1)(c) of the Wisconsin Statutes considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and 19.85(1)(g) of the Wisconsin Statutes 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 a bus operator.

Roll Call Vote:

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASS

<u>District</u>	<u>Alderperson</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	YES
11	Ryan, Debra	YES

Reconvened into Open Session

21-1205

12/14/2021 7:24:55 PM

Motion by Herbst, second by Rasmussen to adopt the Resolution of the Human Resources Committee Approving a separation agreement between the City of Wausau and Bus Operator II Jon Rothmeyer.

Yes Votes: 11 No Votes: 0 Result: PASS

Adjourn

12/14/2021

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

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk