

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, December 19, 2023, in Council Chambers, beginning at 6:31 P.M.,
Mayor Katie Rosenberg presiding.

Roll Call

12/19/2023

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</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	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

Presentation: Presentation and update on the site investigation at 1300 Cleveland Ave.

12/19/2023

Michael Debraske, Senior Project Engineer, and Roger Miller, Senior Hydrologist with GEI Consultants presented the update. Matt Thompson, Hydrogeologist Program Coordinator, with the Wisconsin Department of Natural Resources' Remediation and Redevelopment Program also provided information relevant to the presentation. Questions were asked and answered.

Consent Agenda

12/19/2023

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

23-1201 from the Common Council to approve Minutes of a previous meeting (11/21/2023 & 12/5/2023).

23-1203 Resolution from the Clerk's Office to appoint members of the Board of Election Officials for a term ending December 31, 2025.

03-0306 Resolution from the Finance Committee Authorizing the write-off of certain uncollectible delinquent accounts from the City's accounting records for the years 1996 to 2011.

23-1109 Resolution from 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) (2023 Comprehensive Fee Schedule).

03-0717 Resolution from 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, 2024, through December 31, 2024.

03-0717A Resolution from the Finance Committee Approving Municipality Held 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, 2024, through December 31, 2025.

12-1214 Resolution from the Finance Committee Approving of Intergovernmental Humane Officer Services Agreement between the City of Wausau and Everest Metropolitan Police Department from January 1, 2024, through December 31, 2024.

92-1135 Resolution from the Finance Committee Authorizing Joint Powers Agreement with Marathon County regarding E911/NG-911 system.

94-0828 Resolution from the Finance Committee & Room Tax Commission Resolution Approving Tourism Entity Agreement between the City of Wausau, Room Tax Commission and the Wausau Central Wisconsin Convention & Visitors Bureau, Inc.

23-1205 Resolution from the Capital Improvements and Street Maintenance Committee Approving pedestrian access easement with Wausau Opportunity Zone, Inc. at 300 N. 3rd Street.

23-1206 Resolution from the Finance Committee Authorization of Reprogramming of Community Development Block Grant unused 2020, 2021 and 2023 program year funds into a Acquisition/Housing Development Activity.

23-1207 Resolution from the Capital Improvements and Street Maintenance Committee Approving the WisDOT Transportation Alternatives Program (TAP) grant application to create a section of the Business Campus Trail system on 72nd Avenue between Stewart Ave and Packer Dr.

23-1208 Resolution from the Capital Improvements and Street Maintenance Committee Approving the WisDOT Transportation Alternatives Program (TAP) grant application to create a section of the Business Campus Trail system between 84th Avenue and Innovation Way.

16-1110 Resolution from the Finance Committee Authorizing the Wausau Police Department to accept a Wisconsin Department of Justice (DOJ) 2024 Beat Patrol Grant of \$121,434.

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

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

23-1211 **12/19/2023**

Motion by Henke, seconded by Rasmussen, to adopt the Resolution from the Economic Development Committee Approving the Third Amendment to the Planning Option with Gorman & Company, LLC for the redevelopment of the former Westside Battery and L & S Printing properties at 415 S. 1st Avenue.

Diny questioned the potential cost for the city until 2025-26. The city is in development negotiations at this time so it is too early to know what the potential costs will be outside of an expected range. The amendment extends the deadline to finalize the development agreement. Diny questioned if there was an initial understanding of potential cost. There was an initial anticipated cost, but the city contribution will not happen until they convert to funding to permanent financing upon full occupancy in 2025-26. Diny questioned if there were any potential reasons for the project to be further altered. There is currently a sewer line relocation in flux.

Larson asked for more information on the sewer line relocation. It was stated that the city Engineering Department was looking at multiple options to successfully relocate the line. Larson questioned if the developer had secured grant funding. There was federal grant funding that was approved to the developer for this project to move forward.

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

05-0406 Amendment **12/19/2023**

Motion by Kilian, seconded by Diny, to amend to add the word "solely" to the be it further resolved before affordable housing Resolution Extending the Life of Tax Increment Districts #6 for Affordable Housing.

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

05-0406 **12/19/2023**

Motion by Watson, seconded by Lukens, to adopt the Resolution from the Economic Development Committee and the Finance Committee as amended Extending the Life of Tax Increment Districts #6 for Affordable Housing.

McElhaney questioned when the TID District would close if extended. By law, the district must close by April of 2025 if extended.

Kilian expressed approval of the projects for affordable housing listed specifically in the resolution. Kilian questioned if there was any indication that the funding could be used for lead lateral remediation. The language of the resolution does not list lead lateral remediation as a potential project to be funded by the TID extension. Kilian stated no objection to lead lateral remediation as a part of affordable housing projects but not towards remediation outside of that.

Rasmussen stated that this extension is a net-positive for the community because the TID was successful, and it is still closing on time. It was stated that this is an example of a successful use of TID.

Watson reiterated Rasmussen's comments and further stated that this will allow the city to properly allocate ARPA funding. Gisselman questioned if the word in-fill housing would also include single-family housing. It was stated that Thomas Street in-fill housing is the priority when it comes to that aspect of the affordable housing. Those particular projects are single-family homes.

Yes Votes: 11

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASSED

23-1110

12/19/2023

Motion by Lukens, seconded by Herbst, to adopt the Resolution from the Capital Improvement & Street Maintenance Committee Approving 2024 Street Reconstruction Projects and Authorization to Let Bids.

Lukens shared constituent concerns with one of the street reconstruction projects that if an extra sidewalk was installed it would be at cost to the residents living there and present walkability issues.

Rasmussen stated that the construction of sidewalks would mitigate a safety issue of people walking on the road in the wintertime. It was further stated that when reconstruction projects are proposed a priority is given to connectivity to surrounding sidewalks and that increased foot traffic should not be seen as a negative.

Larson stated that safety, walkability, and affordability to residents were taken into consideration when this item passed the Capital Improvement & Street Maintenance Committee.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
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	YES

Yes Votes: 10

No Votes: 1

Abstain: 0

Not Voting: 0

Result: PASSED

Suspend the Rules

12/19/2023

Motion by Watson, second by Henke, to suspend Rule 6(B) Filing and 12(A) Referral of Resolutions.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</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	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	YES

Yes Votes: 10

No Votes: 1

Abstain: 0

Not Voting: 0

Result: PASSED

23-1210

12/19/2023

Motion by Rasmussen, second by Watson, to adopt the Resolution from the Common Council in Opposition of H.R. 3557, the “American Broadband Act of 2023.”

Larson questioned what voting no and yes to this resolution would mean. A vote no means the resolution would not be forwarded to federal representatives and a vote yes will mean forwarding the resolution opposing H.R. 3357.

Martens questioned if the elimination of cable television franchise fees, which funds public access channels, would mean the loss of public access channels. The loss of the fees funding could inhibit the ability to air a public meeting in a public forum.

Rasmussen stated concerns with finding funding within the city budget for public access channels should cable television franchise fees be eliminated.

Diny questioned the source of this resolution and how it came to the respective department that brought it to the Common Council. There are several groups monitoring H.R. 3557 including the National Association of Counties, National League of Cities, United States Conference of Mayors, National Association of Telecommunication Officers, and the Wisconsin League of Municipalities.

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

23-1213 **12/19/2023**

Motion by Watson, seconded by Herbst, to adopt the Resolution from the Common Council Instructing City staff to prepare a grant application to the Wisconsin Economic Development Corporation (WEDC) for the Community Development Investment (CDI) grant for the Eesa, LLC Bakery at 201 Forest Street.

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

23-1215 **12/19/2023**

Motion by Watson, seconded by Henke, to adopt the Resolution from the Common Council Approving Master Partnership Agreement between the City of Wausau, Wausau Water Works and Community Infrastructure Partners LLC for lead service line replacement and related infrastructure work.

Gisselman questioned as to the experience and history of the partnering company. This company has worked within other municipalities across the country. Gisselman shared concerns if the company is well qualified to conduct this work and if they were registered to do work within the state. As part of the agreement, the company has agreed to register with the state to do business.

Kilian questioned if the contract left room to further develop agreements. The last paragraph of the contract states that the city would execute the agreement with substantial compliance with the draft attached to ensure input from the Common Council. Staff can continue to work with the company to ensure the agreement is executed under the direction of the Common Council.

Without objection, staff are directed to work with the company to ensure that they will conduct work for the city in accordance with the discussion had at this meeting.

Larson questioned if this was the only company that has come forward to conduct this work. This was the only company to respond to the request for qualifications for this particular work of replacement of lead service lines. Larson questioned fees clauses within the contract. The fees within the contract are based on key performance indicators in which the company would receive payment for work conducted and completed.

Diny questioned fee clauses within the contract and if the city would have to go to bonding to fund the project. Funding would come from state partners and national organizations for lead abatement. Diny questioned if the resolution would approve bonding. The resolution is only approving the contract and not appropriating any funds from bonding.

Rasmussen stated that the city has been at the forefront of this endeavor which has provided opportunities to secure funding and grants. Rasmussen stated support for moving forward with the contract as support to get this project started.

Gisselman requested regular updates to standing committees while the project moves forward.

Kilian requested that if the company does not agree to the contract in accordance with the discussion had at this meeting, the contract would then be brought back to the Common Council. The resolution gives staff the ability to negotiate with the company whatever additional items would be included in the discussion at this meeting. The contract will come back if not agreed upon.

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

22-0105 **12/19/2023**

Motion by Watson, seconded by Herbst, to adopt the Resolution from the Common Council Approving Revised First Amendment to Development Agreement with S. C. Swiderski, LLC and SCS Wausau, LLC – N. River Drive.

District Aldersperson Vote

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	YES
9	Herbst, Dawn	YES
10	Larson, Lou	NO
11	Henke, Chad	YES

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

23-1217 **12/19/2023**

Motion by Watson, seconded by Herbst, to adopt the Resolution from the Common Council Referring request for sale of city-owned property - 902 and 904 W. Thomas Street.

Rasmussen questioned if this should be coming from a standing committee first. By city ordinance, a request for sale of a city-owned property must be referred to a standing committee by the Common Council.

Larson questioned if these parcels were slated for in-fill affordable housing. The parcels are too small for housing developments. Larson stated support as this moves the item to the Capital Improvements and Street Maintenance Committee for consideration.

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

Adjourn **12/19/2023**

Motion by Watson, second by Diny, to adjourn the meeting. Motion carried. Meeting adjourned at 8:25 P.M.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk