

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, February 13, 2024, in Council Chambers, beginning at 6:33 P.M.,
Mayor Katie Rosenberg presiding.

Roll Call

02/13/2024

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

Proclamations

02/13/2024

The Mayor of the City of Wausau Proclaims:
Transit Equity Day (February 5, 2024)

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

02/13/2024

- 1) Catherine Kronenwetter, 117 Sturgeon Eddy Road – spoke on current lead lateral replacement program.

Committee Reports

02/13/2024

DPW – Insurance Claims – October 2023-December 2023. Report placed on file.

Consent Agenda

02/13/2024

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

24-0204 Resolution from the Capital Improvements and Street Maintenance Committee Accepting Easement with Wisconsin Public Service to bury electrical facilities at 1211 North 3rd Street and 1213 North 3rd Street.

24-0205 Resolution from the Capital Improvements and Street Maintenance Committee Approving Agreement for the Management and Maintenance of a Stormwater Facility (Wausau School District – 3101 North 13th Street).

24-0206 Ordinance from the Capital Improvements and Street Maintenance Committee Amending Section 10.20.080(b) designating loading zone on the east side of N. 2nd Street from a point 180 feet south of the stop bar at Washington Street and extending 80 feet south.

24-0207 Resolution from the Capital Improvements and Street Maintenance Committee Authorizing staff to petition the State of Wisconsin Office of the Commissioner of Railroads to determine the adequacy of warning devices at the rail-highway crossing located across 17th Avenue south of Stewart Avenue and north of Sherman Street.

24-0208 Resolution from the Finance Committee Approving the First Amendment to the Grant Agreement with the State of Wisconsin for the Neighborhood Investment Fund Grant Program for the Westside Battery Redevelopment project.

24-0209 Ordinance from the Public Health & Safety Committee Amending: Wausau Municipal Code (“WMC”) § 19.08.050 – Records; WMC § 19.12.020 – When required; WMC § 19.12.050 – Restrictions on issuance; WMC § 19.16.060 – Certificate of occupancy. Creating: WMC § 19.12.005 – Plumbing plan submittals. Repealing: WMC § 19.08.030 – Registration of plumbers.

24-0212 Resolution from the Human Resources Committee and Finance Committee Reclassing the Admin I position in Public Works to Admin II.

24-0213 Resolution from the Human Resources Committee and Finance Committee Approving amendment to the Employee Handbook Section 5.17 – Standby Pay.

21-0311 Resolution from the Finance Committee Approving Small Government Enterprise Agreement with Environmental Systems Research Institute, Inc. (Esri).

24-0108 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

24-0201 **02/13/2024**

Motion by Watson, seconded by Herbst, to Approve Minutes of a previous meeting (01/23/2024).

Diny requested that Corina Norrbom, who is listed as someone who made public comment in the minutes of the previous meeting, be identified as a key member of the Community Infrastructure Partners LLC in addition to as a representative of the Medical College of Wisconsin which was listed. It was stated by the City Attorney that that request is not advised as it adds something to the minutes that did not occur at the meeting as this speaker did not identify as such at the meeting.

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

24-0203 **02/13/2024**

Motion by Rasmussen, seconded by Lukens, to adopt the Resolution from the Finance Committee Authorizing the redemption of Certain General Obligation Promissory Notes.

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

06-0119 **02/13/2024**

Motion by Rasmussen, seconded by Watson, to adopt the Resolution from the Economic Development Committee Approving Consent to Transfer, Waiver of Right of First Refusal, Termination of Recorded Deed Restrictions and Recording Set of Revised Deed Restrictions for 6235 and 6335 Packer Drive (Vandy Enterprises, LLC).

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

24-0202 **02/13/2024**

Motion by Watson, seconded by Martens, to approve the Mayor's Appointments.

- Mary Gallagher to Business Improvement District Board (Reappointment - Term expires 12/31/2025)
- Mark McKinley to Business Improvement District Board (Reappointment – Term expires 12/31/2025)
- Robb Shepherd to Business Improvement District Board (Reappointment – Term expires 12/31/2025)
- Rebecca Bearjar to Business Improvement District Board (Reappointment – Term expires 12/31/2025)
- Mark Craig to Business Improvement District Board (Reappointment – Term expires 12/31/2025)

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

24-0211 Amendment **02/13/2024**

Motion by McElhaney, seconded by Larson, to amend 24-0211 to replace in the be it further resolved section, "to be investigated further and presented again with more details at a meeting of Public Health & Safety before July 2024, with an understanding that other community partners be engaged particularly Marathon County and North Central Health Care.

Watson stated concerns of ambiguous language of future meetings and wanted more details of the future direction of moving a potential program forward. *Without objection*, more detailed language was included in the amendment.

Larson requested future discussions to include funding source options from other community partners and government entities.

Lukens requested specifically that Marathon County and NCHC should be partners in a program direction. Lukens questioned if CW Solutions had experience in transitional housing. It had not but does have experience in rapid rehousing for program participants.

Kilian stated that it was wrong for NCHC not to take a larger role to serve these communities in need. It was also stated that exploring this program along with the county is appropriate as the county has a statutory duty to provide social services. Kilian stated that if the county does not assist with these services, the city must identify a structural umbrella to implement a social service system.

24-0211

02/13/2024

Motion by Henke, seconded by Larson, to adopt the Resolution from the Public Health & Safety Committee To consider the conceptual idea of partnering with CW Solutions to operate a tailored, two-phase transitional housing pilot program in Wausau as amended.

McElhaney questioned what model this is based on and the cost to operate the model as outlined in the proposal. It was stated that the funding could serve up to five individuals at a time and that the model is based off the staffing model in other housing programs offered by CW Solutions. McElhaney questioned the benchmarks which are aimed at in the program and who made those decisions. It was stated that benchmarks would be determined through collaboration of stakeholders in the community. Success for an individual would mean having participants complete the phases of treatments. McElhaney stated opposition as the city itself does not have a social services department and the treatment services should not be put solely upon the city for funding.

Rasmussen stated that this item is before the Common Council as the concept had only been discussed in the Public Health & Safety Committee and should be discussed further. The referral to the Finance Committee would task those members with seeking funding options and seeing where the services would fit in with existing services.

Gisselman questioned if these services are under the mandate of Marathon County through North Central Health Care. It was stated that these specific services are not currently available from NCHC and is an ongoing need for the city. Gisselman questioned if NCHC has been approached to provide these services at all. It was reiterated that this specific program is not available at the healthcare center and there were no stated plans to implement such services in the future. Gisselman stated that if this is becoming a larger issue that the city should create a new bureaucratic department to undertake such services.

Diny stated that the county should do more to assist the city in undertaking these services.

Rasmussen stated that the gap in service that is needed is a first stop house where individuals can be housed first and then use case management to guide individuals towards rehabilitation and stable housing. It was stated that staff needs more input from the entire Common Council to explore this programing further and find stakeholders to contribute to a solution.

McElhaney stated that the resolution has made it seem as if this program was moving forward and the final step was funding when this is more about discussing the issue further. It was stated that more details need to be fleshed out to temper expectations and make sure there are enough partners.

<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	NO
10	Larson, Lou	YES
11	Henke, Chad	YES

19-0921

02/13/2024

Motion by Henke, seconded by Watson, to adopt the Resolution from the Economic Development Committee Approving Addendum to Development Agreement with Foundry on 3rd Ph 1, LLC.

<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	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

Suspend the Rules **02/13/2024**

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

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

12-1214 **02/13/2024**

Motion by Watson, seconded by Lukens, to adopt the Resolution from the Finance Committee Approving Termination of Animal Control Services to the Everest Metropolitan Police Department, provided pursuant to an Intergovernmental Humane Officer Services Agreement.

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

14-1009 **02/13/2024**

Motion by Rasmussen, seconded by Lukens, to adopt the Resolution from the Finance Committee Resolution Approving Wireless Telecommunications Equipment and Service Agreement with New-Cell, LLC d/b/a Cellcom.

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

24-0215 **02/13/2024**

Motion by Rasmussen, seconded by Lukens, to adopt the Resolution from the Capital Improvements and Street Maintenance Committee and Finance Committee Approving Urban Nonpoint Source and Stormwater Management Planning Grant Agreement.

Kilian agreed that it made sense to take advantage of the grant and reiterated opposition to attaching any public/private partnership when it comes to stormwater management planning.

Rasmussen stated that this would help us comply with the planning to remain in compliance with stormwater management planning requirements and assist in diversifying the utility revenue.

Kilian stated that the government should retain its responsibilities in terms of the grant and future plans for the utility.

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

23-1109 **02/13/2024**

Motion by Rasmussen, seconded by Watson, to adopt the Resolution from the Finance Committee Approving 2024 Budget Modification – Short Street Construction.

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

23-1215 **02/13/2024**

Motion by Larson, seconded by Henke, to call the question to end debate.

<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	NO
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES

10	Larson, Lou	YES
11	Henke, Chad	YES

Yes Votes: 7 No Votes: 4 Abstain: 0 Not Voting: 0 Result: PASSED

Motion by Watson, seconded by Herbst, to adopt the Resolution from the Common Council Approving Final Form of 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.

Diny stated that it was unfair to the public that the full language of the contract was released and is being considered on a limited timeframe and questioned the legal cost in relation to refining this contract.

Rasmussen stated that the directive given to the City Attorney to hammer out language in the contract to ensure that this private entity complies with open record requirements was carried out. The other parts of the contract have remained unchanged thus this has largely been reviewed at the previous Common Council meeting. Rasmussen urged action to move forward with the agreement.

Without objection, Kilian questioned representatives from Community Infrastructure Partners LLC on specific aspects of their business dealings and financing.

McElhaney shared concerns that the contract did not cover all replacement costs, specifically for driveway and landscaping replacement.

Gisselman stated that it was important for residents to know that there will be no charge to them for this replacement project. It was questioned if this was a one-year contract agreement when the contract says that the term of the agreement ends on December 31, 2029. It is a five-year contract that has off-ramps on a year-by-year basis.

Rasmussen requested that staff provide an update each year at the end of construction season, typically in October. This update should include an opportunity for residents who have had a replacement project done to update the Common Council on how that project went.

Kilian highlighted and shared concerns on the termination fee included in the agreement. There were also concerns shared on aggregation by training people through a union training program in the city who might not be ultimately working in the city.

Diny stated concerns that this project is being portrayed as a crisis when the contract can be cancelled potentially each year. It was also stated that the labor needed to conduct this project could be kept locally in the city and county as opposed to just within the state. Diny stated concerns that this cannot be free, and that bonding would be needed to continue this project year by year.

Lukens stated that lead pipes is a crisis because of the damaging impacts of lead poisoning. Clarification was sought on the definition of local workforce as to if that meant from the city and county or from the state. Lukens further highlighted the partners involved in this agreement. *Point of order* raised by Larson against the relevance of the comments. *Point of order was not well taken by the chair* and Lukens continued statements briefly.

<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	NO
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Herbst, Dawn	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

Yes Votes: 7 No Votes: 4 Abstain: 0 Not Voting: 0 Result: PASSED

Adjourn **02/13/2024**

Motion by Henke, second by Watson, to adjourn the meeting. Motion carried. Meeting adjourned at 9:01 P.M.

Katie Rosenberg, Mayor
Kaitlyn Bernarde, City Clerk

