

**OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL**  
held on Monday, August 19 2024, in Council Chambers, beginning at 6:00 p.m.,  
Mayor Doug Diny presiding.

**Roll Call**

**08/19/2024**

Roll Call indicated 10 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	EXCUSED
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

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

**08/19/2024**

1. Jonathan Betts-Rojas, 168355 County Road G, Wausau - spoke in opposition of the denial of a bartender/operator license.
2. Sid Sorenson, Sorensen Construction LLC - spoke on the STS Investments LLC developer agreement.
3. Judy Lombard, 149988 Skylark Lane, Wausau - spoke in opposition to the humane officer proposal.
4. Ann Lemmer, 3424 Hidden Links Drive - spoke in favor of the Lead Hazard Reduction Program
5. Ashley Hockers, Park Avenue - spoke in opposition to the humane officer proposal.
6. Ashlee Bishop, 1203 N. 5<sup>th</sup> Street – spoke in opposition to the humane officer proposal.

**Consent Agenda**

**08/19/2024**

*Without objection*, item 24-0809 was pulled from the consent agenda by the request of Henke.

Motion by Watson, seconded by Neal, to adopt all the items on the Consent Agenda as follows:

**24-0801** from the Common Council Approve Minutes of a previous meeting(s) (07/09/2024).

**24-0804** Resolution from the Infrastructure and Facilities Committee Approving Agreement for the Management and Maintenance of a Stormwater Facility (Robert W. Monk Gardens, Inc. – 1800 North 1st Avenue).

**24-0805** Resolution from the Infrastructure and Facilities Committee and Plan Commission for the Approval of Transportation Project Plat for the reconstruction of West Wausau Avenue from Stevens Drive to North 10th Avenue.

**24-0806** Ordinance from the Plan Commission to Rezone 1208 N 3rd St from Two-Flat Residential-10 (TF-10) Zoning District to Urban Mixed-Use (UMU) Zoning District.

**24-0807** Ordinance from the Plan Commission to Rezone 1210 N 3rd St from Two-Flat Residential-10 (TF-10) Zoning District to Urban Mixed-Use (UMU) Zoning District.

**24-0808** Ordinance from the Plan Commission to Rezone 1713 Burek St from Single-Family Residential-2 (SR-2) Zoning District to Single-Family Residential-5 (SR-5) Zoning District.

**24-0811** Resolution from the Infrastructure and Facilities Committee Setting a public hearing regarding vacating and discontinuing certain right-of-way along East Thomas Street abutting a portion of 700 Grand Avenue and vacating a portion of right-of-way formerly known as 804-806 Grand Avenue, 810 Grand Avenue, 814 Grand Avenue and 816 Grand Avenue.

**24-0812** Resolution from the Economic Development Committee Accepting the submittal of Wangard Partners for a residential development in the Riverlife District at 15 Fulton Street and 920 N 1st Street.

Yes Votes: 10

No Votes: 0

Abstain: 0

Not Voting: 1

Result: PASSED

**24-0809**

**08/19/2024**

Motion by Larson, seconded by Henke to adopt the Resolution from the Infrastructure and Facilities Committee Approving Developer's Agreement with STS Investments LLC, west of Birchwood Drive and west of Old Coach Road.

Henke questioned if reconsideration of this item in the Infrastructure & Facilities Committee would impact the developer's timeline. It was stated this would not impact the timeline of the developer.

Motion by Henke, seconded by Rasmussen, to refer 24-0809 back to the Infrastructure & Facilities Committee.

Rasmussen questioned the process for which this item moved through the Infrastructure & Facilities Committee and suggested the policy for subdivision charges be investigated by the committee.

Yes Votes: 10

No Votes: 0

Abstain: 0

Not Voting: 1

Result: PASSED

**24-0704**

**08/19/2024**

Motion by Henke, seconded by Rasmussen, to adopt the Resolution from the Finance Committee Reconsideration of the Resolution giving Authorization to Accept Lead Hazard Reduction Capacity Building grant through the Office of Lead Hazard Control and Health Homes through the U.S. Department of Housing and Urban Development.

Rasmussen stated the reconsideration request came due to information that had emerged that the denial of the grant impacts the county's ability to obtain the grant and questions raised in public comment.

Kilian stated the issues with acceptance of the grant was financial and staff capacity based both of which had not changed. It was stated this was something that should not be moved ahead quickly as the remediation of lead hazards is expensive.

Neal questioned if the vote was to accept or not accept the grant, or to accept and send the item back to a committee. It was stated the vote would be to reconsider and refer to committee if that motion was made. Neal stated support for accepting the grant.

Rasmussen stated having time to review the grant and discuss with partners at the Marathon County Health Department was vital to supporting implementation. It stated the city has an old housing stock which has lead hazards that may not be known for which these funds can impact.

Tierney questioned how much in funds would be available for the abatement of lead hazards as it is expensive and often cost prohibitive. It was stated the county health department already works on abatement of lead hazard by identifying the source and assisting in removing it from the household in a variety of ways which may be more cost effective. Tierney stated concerns on staffing and additional costs on taxpayers for the programing while noting the need to protect children and others exposed to lead. It was stated the city has the capacity with the county and staff costs are covered by federal grants.

Martens stated previous concerns with financial and staffing impact and questioned if other funds could be applied for staffing. It was stated the in-kind staff support from the county health department and other nonprofit organizations could count towards matching funds to meet the eligibility for this grant.

Lukens stated support as this is an important initiative to fund because prevention of lead poisoning is vital.

Gisselman questioned how lead is detected now in households and how it would be enhanced with the grant approval. It was stated that the county health department identifies lead in households by physician reporting of the poisoning in children and adults, and then the city works with the resident to identify sources in the house structure and remediate. It was stated this grant would help identify lead hazards before the poisoning via prevention devices, early poisoning testing, and reaching out to households at risk. Gisselman stated privacy concerns. It was stated that prevention measures and testing are only conducted with consent of residents. Gisselman further questioned if a resolution and plan would be brought forward to the Marathon County Board of Supervisors.

Kilian questioned what would happen if the county turned down the grant. It was stated the city could partner with nonprofits or other organizations if the county will not participate.

Rasmussen stated the ability of the city to find partners in solving problems including with the county. It was stated the importance of showing the county that the city is a willing and active partner.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES

2	Martens, Michael	YES
3	Kilian, Terry	NO
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	EXCUSED
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

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

**Motion to Recess** **08/19/2024**

Motion by Watson, seconded by Lukens, to recess the Common Council for the Committee of the Whole.

Neal questioned the order of events if the Common Council were to recess. It was stated the recess would be to allow for the Committee of the Whole to take place at a specific publicized time.

*Point of order* raised by Watson on debating the motion to recess. *Point of order well taken by the Chair* and debate was limited.

Yes Votes: 10                      No Votes: 0                      Abstain: 0                      Not Voting: 1                      Result: PASSED

**The Common Council stood in RECESS at 7:19 p.m.**

**ADJOURNED from recess at 8:54 p.m.**

*Without objection*, item 24-0803 was pulled from the agenda for consideration by the Mayor.

**24-0810** **08/19/2024**

Motion by Watson, seconded by Henke, to adopt the Resolution from the Finance Committee Authorizing the Issuance and Sale of Up to \$1,048,735 Water System Revenue Bonds, Series 2024b, and Providing for Other Details and Covenants with Respect Thereto.

Yes Votes: 10                      No Votes: 0                      Abstain: 0                      Not Voting: 1                      Result: PASSED

**24-0813** **08/19/2024**

Motion by Lukens, seconded by Rasmussen, to adopt the Joint Resolution from Public Health & Safety and Human Resources Committees Recommending Approval of the Proposed Restructuring of the Animal Control Program within the Wausau Police Department.

Rasmussen stated this was about getting the best level of service to the community and that the situation as presented currently is not providing those services at the times they are needed. It was recommended to move forward with the plan as recommended to give that plan a chance to succeed.

Larson stated uncomfortableness with the choices presented as a seasoned employee would be let go and replaced with part-time non-sworn-in officers. It was stated this sets a precedent for restructuring positions in the future.

Motion by Larson, seconded by Tierney, to amend item 24-0813 to replace in the 7<sup>th</sup> WHEREAS clause “part-time non-sworn officers would allow for up to 60 hours per week of animal control services which would include evening and weekend shifts,” with “one full time humane officer, and two currently employed non-sworn officers for up to 60 hours per week of animal control services which would include evening and weekend shifts for one year and then review data,”; remove in the 10<sup>th</sup> WHEREAS clause “is a budget neutral restructure which,”; remove in the 11<sup>th</sup> WHEREAS “proposed model would result in the current employee’s termination. Thus, to give the employee adequate time to find replacement employment, the current program would terminate in October 2024 when the 2024 budget expires. The,”; replace in the NOW THEREFORE, BE IT RESOLVED clause “multiple part-time officers,” with one full time humane officer, and two currently employed non-sworn officers.”

Rasmussen questioned if this amendment would require a budget modification as it would make the change to the program no longer budget neutral. It was stated if this would cost more to implement it would require a modification to the budget.

Martens stated this amendment would double the budget for the humane officer program at a time when the Common Council is looking to stay as budget neutral as possible. Martens stated opposition to the amendment. It was stated there currently is little funds in the community service officer budget to implement this amendment without a budget modification.

Kilian stated concerns on the lack of perspectives when this proposal was presented and the lack of feedback from stakeholders in the animal protection position. It was stated stakeholders had concerns with the proposal as originally proposed. Kilian stated the city should be able to come up with funds for a budget modification to allow the current humane officers to train and mentor non-sworn officers to assist in animal control. Kilian stated opposition to the elimination of the humane officer position.

Watson questioned if the Common Council could vote on the amendment if it required a budget amendment. It was stated the proposal as amended could be approved but some investigation might be needed to see how the amendment impacted the budget as to if a modification would be required. Watson questioned if the program would continue to be funded without action as the funding runs out. It was stated if the funding ran out, police officers would continue to handle animal control calls as it is currently.

Tierney stated support for a humane officer position and stated that the funds to continue the humane officer program could be produced as other funding for the Police Department have been found in recent history.

Kilian questioned if the non-sworn officers handling animal control calls would receive animal control training within a year. It was stated the current non-sworn officers are scheduled to attend the training this year and future non-sworn officers would also be sent to the same training. Kilian stated these positions require more than training and must also have the experience to carry out the work.

Motion by Lukens, seconded by Watson, to postpone consideration of 24-0813 to the next meeting of the Common Council.

*Point of Inquiry* raised by Henke on if this motion was to postpone the amendment or postpone the consideration of the resolution. It was stated the motion to postpone takes precedence over a motion to amend.

*Point of Inquiry* by Gisselman if there is a difference between postpone and tabling motion. It was stated both motions are the same in nature unless stated otherwise.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
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3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	EXCUSED
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	YES
10	Larson, Lou	NO
11	Henke, Chad	NO

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

**23-1109S 08/19/2024**

Motion by Watson, seconded by Rasmussen, to adopt the Resolution from the Committee Approving 2024 Budget Modification - Hot Mix to Complete Additional Mill and Overlay Street Maintenance.

Yes Votes: 10                      No Votes: 0                      Abstain: 0                      Not Voting: 1                      Result: PASSED

**23-1109T 08/19/2024**

Motion by Watson, seconded by Henke, to adopt the Resolution from the Finance Committee Approving 2024 Budget modifications - General Fund Balance Transfer for the Purchase Water Meters.

Rasmussen questioned if the city had the bandwidth and staff to complete this project. It was stated the staff has the capacity to conduct the project.

Yes Votes: 10                      No Votes: 0                      Abstain: 0                      Not Voting: 1                      Result: PASSED

**Suspend the Rules**

**08/19/2024**

Motion by Watson, seconded by Rasmussen, to Suspend Rule 6(B) Filing and 12(A) Referral of Resolutions.

Yes Votes: 10

No Votes: 0

Abstain: 0

Not Voting: 1

Result: PASSED

**24-0108**

**08/19/2024**

Motion by Watson, seconded by Henke, to adopt the Resolution from the Public Health & Safety Committee Approving Various Licenses as Indicated.

Larson stated the applicant at public comment seeking for the Common Council to overturn the recommendation of denial of a license should have the charges resolved before approving the license.

Rasmussen stated the applicant would have the ability to apply for a license again.

Neal stated this was a matter of being accused guilty until proven innocent and suggested the license be revoked if the charges are proven. It was further stated the assumption of guilt should not be a deciding factor.

Rasmussen suggested the applicant had the ability to appeal the decision to the Public Health & Safety Committee and provide documents of rehabilitation.

Kilian also stated the assumption of guilt should not be a deciding factor.

Motion by Henke, seconded by Rasmussen, to remove from 24-0108 the application of Jonathan Betts-Rojas and send back to the Public Health & Safety Committee, and approve the remaining licenses.

Yes Votes: 10

No Votes: 0

Abstain: 0

Not Voting: 1

Result: PASSED

**Public Comment & Suggestions**

**08/19/2024**

1. Tom Kilian, 133 E. Thomas Street – spoke in support of the amendment on the animal control program proposed by Larson and the funding to support the amendment.

**Adjourn**

**08/19/2024**

Motion by Henke, second by Larson, to adjourn the meeting. Motion carried. Meeting adjourned at 10:01 p.m.

Doug Diny, Mayor  
Kaitlyn Bernarde, City Clerk