

BOARD OF REVIEW – 3rd Day in Session

Time and Place: Friday, June 14, 2013 @ 9:00 am., in the Council Chambers at City Hall.

Members Present: Carmen Siegel, Don Haney, Russ Tonelli, Gordie Popko

Others Present: Nan Giese, Anne Jacobson, Toni Rayala, Jeremy Ray, Timothy Pfothenauer, Rick Rubow and objectors as listed below.

In accordance with Chapter 19, Wisc. Stats., Notice of this meeting was posted in three public buildings (City Hall, County Courthouse and Public Library) and faxed to the Daily Herald in the proper manner. It was noted that there was a quorum present and the meeting was called to order by Carmen Siegel.

1) DECIDE TO HEAR OR DENY ANY OBJECTIONS FILED LATE

Siegel asked if there were any further objections filed. Rayala stated that no additional objections were filed. However there was correspondence from Reinhart Attorneys who represent Walgreens and Sears Co. Rayala summarized the email received from Erica Johnson and Jessica Hutson Polakowski. Rayala shared that she explained that today, Friday June 14, is the last day of hearings and they did have the right to attend and still file an objection noting extraordinary circumstances.

The assessor's office shared with the Board a recommendation for the Murdock Wausau objection to reconsider and amend the assessment. Ray read the recommendation into the record.

Motion by Haney seconded by Tonelli to reconsider the Murdock objection. Roll call vote: Haney yes, Tonelli yes, Popko yes, Siegel yes.

Motion by Haney seconded by Tonelli to accept Murdock objection and schedule a hearing. Roll call vote: Haney yes, Tonelli yes, Popko yes, Siegel yes.

Motion by Haney seconded by Tonelli to accept Murdock scheduling the objection for 12:45 pm today and waive the 48 hour notice of hearing. Roll call vote: Haney yes, Tonelli yes, Popko yes, Siegel yes.

2) RESCHEDULE HEARINGS:

Murdock was rescheduled for 12:45 pm today.

3) HEAR OBJECTIONS SCHEDULED

9:00 AM Hearing RE: Voigt 604 W Campus Drive Wausau 54401 PIN# 291-2907-143-0986

Siegel introduced the objection of Aric Voigt for property at 604 W. Campus Drive. The following individuals present were sworn in: Denise Schmidt-Voigt, agent for property owner; City Assessor: Nanette Giese, Property Appraisers: Rick Rubow, Jeremy Ray, Timothy Pfothenauer. Testimony was taken by both parties. Three exhibits (A, B, and C) were placed on file on behalf of the objector. One exhibit was placed on file on behalf of the assessor. Board deliberated on the testimony and made the following determination.

Motion by Haney, second by Popko to sustain the assessor's valuation: that the Assessor presented evidence of the fair market value of the subject property using assessment methods which conform to the statutory requirements and which are outlined in the Wisconsin Property Assessment Manual. The property owner did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor; that the Assessor's valuation of \$98,800 is reasonable in light of all the relevant evidence; therefore the board sustains the valuation of \$98,800 as set by the assessor. Roll Call Vote: Haney yes, Tonelli yes, Popko yes, Siegel yes. Motion carried 4-0.

**10:00 AM Hearing RE: Bennett Noel 4022 Riverview Drive, Wausau, WI 54403
PIN#291-2907-131-0089**

Siegel introduced the objection of Bennett Noel 4022 Riverview Drive Wausau, WI 54403. The following individuals present were sworn in: Bennett Noel, property owner; City Assessor: Nanette Giese, Property Appraisers: Rick Rubow, Jeremy Ray, Timothy Pfothenauer all remain under oath. Testimony was taken by both parties. One exhibit was placed on file on behalf of the objector. One exhibit was placed on file on behalf of the assessor. Board deliberated on the testimony and made the following determination.

Motion by Haney, second by Tonelli that the assessor's valuation is incorrect, that the property owner has presented sufficient evidence to rebut the presumption of correctness granted by law to the assessor and that the property owner's valuation is reasonable in light of the evidence and that the full value of the property is \$183,600. Therefore the Board sets the new assessment at \$183,600. Roll Call Vote: Haney yes, Tonelli yes, Popko no, Siegel, no. Motion has failed due to a tie vote 2-2.

Motion by Tonelli, Popko seconded that the Assessor's valuation is correct. That the Assessor presented evidence of the fair market value of the subject property using assessment methods which conform to the statutory requirements and which are outlined in the Wisconsin Property Assessment Manual. The property owner did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor; that the Assessor's valuation is reasonable in light of all the relevant evidence. Roll Call vote: Tonelli yes, Popko yes, Siegel yes, Haney no. Motion passed 3-1.

**11:00 AM Hearing RE: Eugene Roetz 1606 Merrill Avenue Wausau, WI 54401
PIN#291-2907-232-0997**

Siegel introduced the objection of Eugene Roetz 1606 Merrill Avenue, Wausau, WI 54401. Mr. Roets was present and sworn in. City Assessor: Nanette Giese, Property Appraisers: Rick Rubow, Jeremy Ray, Timothy Pfothenauer all remain under oath. Testimony was taken by both parties. One exhibit was placed on file on behalf of the objector. One exhibit was placed on file on behalf of the assessor. Board deliberated on the testimony and made the following determination.

Motion by Haney, second by Popko to sustain the assessor's valuation: that the Assessor presented evidence of the fair market value of the subject property using assessment methods which conform to the statutory requirements and which are outlined in the Wisconsin Property Assessment Manual. The property owner did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor; that the Assessor's valuation is reasonable in light of all the relevant evidence; therefore the board sustains the valuation as set by the assessor. Roll Call Vote: Haney yes, Tonelli yes, Popko yes, Siegel yes. Motion carried 4-0.

**12:45 PM Hearing RE: Murdock Wausau LTD 500 N. 3rd Street, Wausau, WI 54403
PIN#291-2907-253-0267**

Rayala explained now that the income information has been presented, the Board did approve to reconsider the objection. Also, both the objector and the assessor waived their right to 48 hour notice of the hearing.

Giese read into record a recommendation that the assessor's valuation is incorrect and agreed to accept the recommendation of the assessor's office to reconsider and amend the assessment on the grounds that the

objector has since provided evidence of substantial compliance with their statutory obligation to meet the relevant portion of Chapter 70.47(7)(af).

Motion Haney, second by Tonelli that the assessor's valuation is incorrect, that the property owner has presented sufficient evidence which when evaluated rebuts the presumption of correctness granted by law to the assessor and that the property owners valuation is reasonable in light of the evidence. Therefore the Board sets the new assessment at \$5,940,000. Roll call vote: Haney yes, Tonelli yes, Popko yes, Siegel yes. Motion passed 4-0.

**1:00 PM Hearing RE: Bonton Department Stores 300 Forest Street, Wausau, WI 54403
PIN#291-2907-362-0250**

Siegel introduced the objection of Bonton Department Stores 300 Forest Street, Wausau, WI 54403. The following individuals present were sworn in: Ron Johnson agent of property owner. City Assessor: Nanette Giese, Property Appraisers: Rick Rubow, Jeremy Ray, Timothy Pfothenauer all remain under oath. Testimony was taken by both parties. One exhibit was placed on file on behalf of the objector. One exhibit was placed on file on behalf of the assessor. Board deliberated on the testimony and made the following determination.

Motion by Haney, second by Tonelli to sustain the assessor's evaluation: that the Assessor presented evidence of the fair market value of the subject property using assessment methods which conform to the statutory requirements and which are outlined in the Wisconsin Property Assessment Manual. The property owner did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor; that the Assessor's valuation is reasonable in light of all the relevant evidence; therefore the board sustains the valuation of \$7,880,700 as set by the assessor. Roll Call Vote: Haney yes, Tonelli yes, Popko yes, Siegel yes. Motion carried 4-0.

3) ADJOURN FOR FURTHER HEARINGS IF NECESSARY, IF NONE, ADJOURN SINE DIE

Motion by Haney, second by Tonelli to adjourn sine die. Motion carried 4-0. Meeting adjourned sine die at 3:30 pm.

Respectfully Submitted:

Toni Rayala
City Clerk