

**OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL**

held on Tuesday, April 23, 2013, at 7:00 pm in Council Chambers at City Hall.

Mayor Tipple presiding.

**Roll Call**

4/23/2013 7:06:58 PM

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Nagle, William P.	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**Proclamations:**

Mayor Tipple proclaimed **May 2013** as **Preeclampsia Awareness Month** in the City Wausau in support of the Preeclampsia Foundation's effort to reduce maternal and infant illness and mortality due to preeclampsia and related hypertensive disorders or pregnancies. Tipple presented the proclamation to Denise Lang, who invited everyone to The Promise Walk for Preeclampsia on June 1, 2013, to raise funds for the foundation.

Mayor Tipple proclaimed **Saturday, May 11, 2013** as **International Migratory Bird Day** and urged all citizens to celebrate this observance and to support efforts to protect and conserve migratory birds and their habitats in our community and the world at large.

**Public Comment (Pre-registered citizens for matters appearing on the agenda)**

- 1) Linda Berner-Karger, 1436 Sumner St, Humane Society Marathon County Board President, urged the Council to reject the resolution requesting Marathon County to limit shelter stays, which she believed called for dramatic increases in euthanasia of animals. She felt if animals are given the opportunity to live they can be adopted into permanent homes.
- 2) Mary Karlin, 1523 N 16<sup>th</sup> Ave, Humane Society, stated there has been a lot of misinformation circulating through the media and in city meetings. She stated no stray animal, except for the occasional 10-day bite quarantine, has ever has been maintained more than 7 days by Marathon County and that no one at MCHS is trying to be a no-kill shelter. She spoke in detail regarding the contract, finances and discussions with elected officials.
- 3) Lisa Held, 7001 Packer Dr, MCHS, addressed minutes from the Public Health & Safety Committee regarding what has come to be known as the \$4,000 cat. She clarified the cat was a surrendered animal, which means none of the county funding went into holding that animal. She urged them not to adopt the resolution requesting the county limit shelter stays.
- 4) Jeannie Scinto, 1700 Baneberry Ct, Rib Mountain, urged Council not to limit the funding to the Humane Society or limiting the shelter stays. She asked them to look to alternatives for funding.
- 5) Dawn Sillars, 716 Kent St, opposed the resolution limiting shelter stays and felt prevention with low cost spay and neuter programs should be the focus.
- 6) Patrick Bacher, 505 S 22<sup>nd</sup> Ave, urged the Council to reject the resolution requesting limitation on shelter stays and consider the impact animal owners have in the county on businesses.
- 7) Kim Tomaszewski, 2514 Elmwood Blvd, Board Member of MCHS, spoke in opposition to the resolution limiting shelter stays and provided statistics on pet ownership. She did not feel it was an accurate representation of the wishes of our citizens.
- 8) David Woods, 715 S. 5<sup>th</sup> Ave, stated the animals don't have a voice and felt we need to speak for them. He felt adoption of the resolution would be disastrous and set things back 20 years.
- 9) Riki Edelburg, 3927 Carl St, supporter and volunteer, spoke in opposition to the resolution regarding the Humane Society and was concerned it would be a step backwards if adopted.
- 10) Indi Edelburt, 3927 Carl St, supporter and volunteer, spoke in opposition to the resolution regarding the Humane Society.
- 11) Bernie DeLonay, 1405 Hollibush Ln, spoke regarding Public Access and a better way of raising money for it through the use of their foundation. She asked them not to penalize the people who bring the programs to Public Access by implementing fees.
- 12) Barbara Fraser-Herrera, 1018 S 1<sup>st</sup> Ave, spoke in opposition to charging fees for the Public Access programming. She noted they have many sponsors, know how to raise money and are willing to do it.

- 13) Pastor Gary Forseth, St. Stevens Church, 512 McClellan St, indicated he was disappointed in the policy statement for Public Access Channel and felt it was an attack on the most elderly and infirmed people of this community. He stated this was an issue that was important to lots of people of faith in this community and at the very least asked the Council to table the policy so that the people can talk to them about its importance. If not, then he proposed three amendments to the policy (on file) that would exempt churches from payment of the fees.
- 14) Debra Ryan, 702 Elm St, felt the Public Access resolution, which was considered at Finance Committee before the Council meeting, was being sped through Council without enough information. She felt they should pause and reflect about liability issues and who will be responsible for Public Access. She recommended they table the policy until people can speak.

**Consent Agenda**

4/23/2013 7:47:07 PM

Motion by Nutting, second by Abitz to adopt all items on the consent agenda as listed below:

**06-1215** Insurance Claims Reports from the Finance Committee - February and March 2013 to be placed on file.

**13-0410** Resolution of the Capital Improvements and Street Maintenance Committee setting a public hearing regarding vacating and discontinuing S. 75th Avenue between Stewart Avenue and Highland Drive.

**12-1205** Resolution of the Capital Improvement and Street Maintenance Committee approving deferring the 2013 street construction projects of 2<sup>nd</sup> Avenue from Stewart Avenue to Elm Street and Clark Street from 2<sup>nd</sup> Avenue to the cul-de-sac until 2014.

**13-0411** Resolution of the Capital Improvements and Street Maintenance Committee approving Marathon County MPO Bicycle Route and sign Plan Memorandum of Understanding.

**08-0609** Resolution of the Park & Recreation Committee authorizing Temporary Easement Agreement -- Athletic Park Parking (Wilson-Hurd)

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**07-0215** Amendment

4/23/2013 7:48:23 PM

Motion by Rasmussen, second by Wagner to amend the Resolution of the Capital Improvements & Street Maintenance Committee requesting 2013-2018 Federal Surface Transportation Program Funds, to read: Townline Road, Grand Avenue to ~~Northwestern Avenue~~ the east city limits.

Rasmussen explained this amendment eliminates the need to amend the plan again if the need arises.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES

10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**07-0215**

4/23/2013 7:48:43 PM

Motion by Rasmussen, second by Abitz to adopt a Resolution of the Capital Improvements and Street Maintenance Committee requesting 2013-2018 Federal Surface Transportation Program Funds, as amended.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**13-0403**

4/23/2013 7:49:08 PM

Motion by Rasmussen, second by Mielke to confirm the Mayor's appointment to the Police & Fire Commission.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**01-1213**

4/23/2013 7:50:15 PM

Motion by Brezinski, second by Rasmussen to adopt a resolution of the Finance Committee reviewing and approving Wausau Area Access Channels Public, Educational & Governmental Television Policies, Procedures and Communication Guidelines and Cablecast Application and Agreement.

Rasmussen felt the since Pastor Gary Forseth took the time to prepare and propose three amendments, the worship community would appreciate an up or down vote on them.

Winters stated he voted no in Finance Committee on this because Public Access is a media business model and the proposed policy will be charging content producers to put their programs on the system, including \$20 a week or \$1,000 per year for the churches. He stated most media acquire content for free and make money through subscriptions, which in this case would be through internet subscriptions, or advertising around it. Money is made by acquiring as much good content as possible, but if you charge the producers of content, you will have no content and you will have no system. He felt it was contrary to any business media model that he was familiar with.

Nagle questioned the City Attorney if there was a definition for churches and if it was appropriate to give special consideration to religious entities. Jacobson responded we can't make decisions based on content or we violate the first amendment based on free speech. She indicated she was reading over the proposed amendments and wasn't sure that they would be legal, but hadn't had time to check them all.

**01-1213 To Table**

4/23/2013 7:54:11 PM

Motion by Nagle, second by Mielke **to table** the Resolution of the Finance Committee reviewing and approving Wausau Area Access Channels Public, Education & Governmental Television Policies, Procedures and Communication Guidelines and Cablecast Application and Agreement, **until the City Attorney has had an opportunity to review it.**

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**12-1007**

4/23/2013 7:55:36 PM

Motion by Rasmussen, second by Nagle to adopt a resolution of the Finance Committee requesting Marathon County to provide an additional \$1.50 Municipal Dog Rebate on pet licenses issued by communities that have contracted with PetData.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	NO
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**13-0413**

4/23/2013 8:20:33 PM

Motion by Winters, second by Rasmussen to adopt a Resolution of the Public Health & Safety Committee requesting Marathon County to limit funding and shelter stays for stray, unwanted and abandoned animals.

Rasmussen clarified the City of Wausau proper in this function tonight has absolutely zero control over how the Humane Society operates, what its euthanasia policy is and what the length of a pet’s stay is. The contract which is currently expired and being re-negotiated is between Marathon County and the Humane Society; it is not a city contract, so even if this resolution passes, it has no impact on the day to day operation of the shelter until a contract is created and voted on. This is merely the City of Wausau communicating a request to Marathon County that a top end cap be placed on the public’s funding of shelter stays for stray animals. The current contract states public funding is set up for seven days; it is not new, it is just not currently being observed as often as it should be. What happens on day eight is not the decision of the city; it is the decision of the Humane Society. She explained all we need to do is stipulate the maximum payable days that a stray animal would be housed on the taxpayer’s public dime. If an animal is desired to be kept and adopted out for an extended period of time, all we are asking is that an alternate funding source be located to sustain the rest of the stay, be it through grants or private donations. She reiterated even if we pass this, nothing changes at the shelter right away. She agreed the reason we are in this situation is really a pet owner failure to license, micro-chip, spay & neuter their animals. She understood it was a tough situation for the Humane Society but longer housing and maintenance has cost them dearly.

Winters stated as of March 31, 2013, Wausau has licensed 250% more pets than last year through the new licensing program, which means Wausau’s contribution to the shelter will go up 250% in 2013 over 2012 because when you pay your license fee a fixed portion of it goes to them. In addition, the application process provides an opportunity for people to make an additional donation to the Humane Society. He indicated many hours have been spent on this issue by many people and he was open to continued dialogue.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	NO
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	YES
11	Mielke, Robert	NO

**12-1109 Amendment**

4/23/2013 8:38:52 PM

Motion by Nagle second by Wagner to amend the resolution of the finance committee modifying the 2013 Budget and Authorizing Various Room Tax Grants using Option A.

Brezinski indicated he abstained from voting at committee as a member of the Board of Directors of Wausau Area Events and will do so now. He was concerned that in so doing he lost his voice for his constituents, so he requested the City Attorney research the question for guidelines for Council members on the appropriateness of abstaining in the future.

Nagle clarified the resolution on the floor approves Option C and since he voted for Option A in committee he wanted to amend it. Groat noted a budget modification requires a 2/3 vote to pass. Gisselman agreed an opinion is needed regarding abstentions due to the many committees and boards the Council members may sit on.

Rasmussen questioned if Option A was our prior practice where the continuing appropriations group received their requested amounts and the amounts in excess of that were then awarded to others. Groat explained the Room Tax Policy that was created in 2006 specified that the continuing appropriations groups would receive an amount equal to amounts that are listed in Option A or the percentages under maximum contributions of the total room tax. Groat stated under Option A the continuing appropriations receive their base amount and the other organizations receive 74% of their requests; under Option B the continuing appropriations receive their full percentage of the room tax, leaving 44.67% for the other organizations; and under Option C the other organizations receive just under 60% of their requests.

*Vote to Amend to Option A:*

Yes Votes: 7      No Votes: 3      Abstain: 1      Not Voting: 0      Result: PASS

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	ABS
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

**12-1109**

4/23/2013 8:43:42 PM

Motion by Nutting, second by Mielke to adopt a Resolution of the Finance Committee modifying the 2013 budget and authorizing various Room Tax Grants using Option A, as amended on the Council floor

Yes Votes: 7      No Votes: 3      Abstain: 1      Not Voting: 0      *Requires 2/3 vote to pass*  
Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES

2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	ABS
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

**12-1109 To Reconsider**

4/23/2013 8:56:53 PM

Motion by Wagner, second by Nagle reconsider the Resolution of the Finance Committee modifying the 2013 budget and authorizing various Room Tax Grants using Option A.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	ABS
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**12-1109 Amendment**

4/23/2013 8:57:57 PM

Motion by Winters, second by Rasmussen to amend the Resolution of the Finance Committee Modifying the 2013 Budget and authorizing various Room Tax Grants from the previously amended Option A back to Option C.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	ABS
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**12-1109**

4/23/2013 8:59:08 PM

Motion by Abitz, second by Nutting to adopt a Resolution of the Finance Committee modifying the 2013 Budget and Authorizing Various Room Tax Grants as amended on the council floor using Option C.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	ABS

5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**13-0412**

4/23/2013 9:00:20 PM

Motion by Nutting, second by Mielke to adopt a Joint Resolution between the Economic Development and the Finance Committees approving the Development Agreement between City of Wausau and Briq's soft Serve to vacate their current location on 1707 Merrill Avenue in favor of acquiring and building a new location on 1605 Merrill Avenue with a superior building style, added drive-thru, patio and extended season/hours and motivated to seek and retain a second future development on the new site.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**02-0432 Rule 6B**

4/23/2013 9:02:16 PM

Motion by Mielke, second by Wagner to adopt an ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 6B, Introduction of Business - Filing.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**02-0432 Rule 7B**

4/23/2013 9:02:49 PM

Motion by Mielke, second by Kellbach to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 7B, Presiding Officer - Function.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES

6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**02-0432 Rules 11A & 11B**

4/23/2013 9:04:38 PM

Motion by Oberbeck, second by Wagner to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 11A, Ordinances - Referral of Ordinances and Rule 11B, Ordinances - Immediate Consideration of Ordinance.

Brezinski commented he spoke to individuals who have operated under this system and the concern expressed was that often times when items are introduced without going through a committee it can produce a very lengthy Council meeting. Rasmussen stated this circumvents the committee structure and reduces the public's time for feedback through the committee setting. She felt it dilutes the effectiveness of our committee and she intended to vote no on this one and the next one as well.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	NO
4	Brezinski, Jim	NO
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	NO

**02-0432 Rules 12A & 12B**

4/23/2013 9:05:14 PM

Motion by Brezinski, second by Nutting to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 12A, Resolutions-Referral of Resolutions and Rule 12B, Resolutions-Immediate Consideration of Resolution.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	NO
4	Brezinski, Jim	NO
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	NO

**02-0432 Rule 13B**

4/23/2013 9:05:57 PM

Motion by Mielke, second by Oberbeck to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 13B, Committees-Standing Committees

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO

2	Wagner, Romey	NO
3	Nutting, David E.	NO
4	Brezinski, Jim	NO
5	Gisselman, Gary	YES
6	Winters, Keene	NO
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	NO

**02-0432 Rule 13C**

4/23/2013 9:07:13 PM

Motion by Wagner, second by Nutting to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 13C, Committees-Committee of the Whole. (Regarding call for a meeting)

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**02-0432 Rule 13C**

4/23/2013 9:07:55 PM

Motion by Winters, second by Gisselman to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 13C, Committees - Committee of the Whole. (Regarding Chairperson)

Yes Votes: 7      No Votes: 4      Abstain: 0      Not Voting: 0      *Requires 2/3 vote to pass*  
Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	NO
9	Oberbeck, David	YES
10	Abitz, Sherry	NO
11	Mielke, Robert	YES

**02-0432 Rule 13C**

4/23/2013 9:08:46 PM

Motion by Nutting, second by Gisselman to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rules 13C, Committees-Committee of the Whole. (Regarding written request of two Alderspersons)

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	NO

4	Brezinski, Jim	NO
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	YES
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

**02-0432 Rule 13 C**

4/23/2013 9:09:26 PM

Motion by Mielke, second by Wagner to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 13C, Committees-Committee of the Whole. (Regarding written request three alderpersons)

Yes Votes: 2      No Votes: 9      Abstain: 0      Not Voting: 0      Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	NO
2	Wagner, Romey	NO
3	Nutting, David E.	NO
4	Brezinski, Jim	NO
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

**02-0432 Rule 13D**

4/23/2013 9:09:56 PM

Motion by Rasmussen, second by Kellbach to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 13D, Committees-Special Committees.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**02-0432 Rule 13F**

4/23/2013 9:10:34 PM

Motion by Winters, second by Wagner to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 13F, Committees-Notice of Committee Meetings.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES

7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**02-0432 Rule 17C**

4/23/2013 9:11:05 PM

Motion by Mielke, second by Kellbach to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 17C, Manner of Deliberation - Motions.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**02-0432 Rule 19**

4/23/2013 9:11:44 PM

Motion by Winters, second by Abitz to adopt an Ordinance of the Committee of the Whole amending Chapter 2.16 Standing Rules of the Common Council Rule 19, Robert's Rules of Order to Govern Council.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

**Public Comment (for items or suggestions not on the agenda)**

- 1) Melissa Dotter, 1003 Brown St, stated this weekend is the 6<sup>th</sup> National Take Back Day to raise awareness on the importance of getting rid of your medications. She also spoke regarding the Push Back Against Drugs campaign, noting there will be a press conference on May 7, 2013. The next full Council meeting will also continue the conversation on this issue.
- 2) Debra Ryan, 702 Elm St, spoke regarding the Finance Committee meeting earlier today in reference to the procurement policy and bidding.
- 3) Rev Oliver Burrows, 5008 Sunset St, Schofield, requested to speak relative to the Access Channel because there was a misunderstanding as to his request to speak at the beginning of the meeting. He made 5 points: 1) the WAAC are the only channels in the state the don't have a fulltime supervisor; 2) the only channels in the state that are not reviewing all programming to make sure they comply with community standards; 3) the handbook has discriminatory potential; 4) no oversight committee; and 5) the educational institutions are exempt and other organizations should be considered in the same manner.

**Adjourn**

4/23/2013 9:19:53 PM

Motion by Mielke, second by Rasmussen to adjourn. Meeting adjourned at 9:20 p.m.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Brezinski, Jim	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

James E. Tipple, Mayor  
Toni Rayala, City Clerk