

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, May 13, 2014, at 7:00 pm in the Council Chambers at City Hall.
Mayor Tipple presiding.

Roll Call

05/13/2014 7:09:42 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	Neal, Tom	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

Presentations:

Mayor Tipple presented a Certificate of Appreciation to David Piehler, for his service on the Community Development Authority for 12 years, from 2002 – 2014, and six of those years serving as chairman. He noted Mr. Piehler has attended 121 meetings for the city at the CDA facility. Piehler commented the CDA is not well known within the city, although we've done over \$13 million in renovation to elderly and low income housing in the last three years and the stock that we have for that purpose is well positioned now to serve residents for the next 20 or 30 years. The CDA also does environmental and blight remediation and he urged continuing support for the CDA and its mission.

Proclamation:

Mayor Tipple proclaimed the month of *May 2014*, as *Building Safety Month*, and encouraged all citizens to join their communities in the participation in Building Safety Month activities.

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

- 1) Deb Ryan, 702 Elm St, spoke regarding Public Access and programming what she felt should be on it, such as all committee meetings, police education, watermain, waste water, energy conservation, gardening, and really showcase what Wausau is all about. She felt the city needed to address public information.

Communications

- 1) Mayor Tipple introduced and welcomed the new Fire Chief, Tracey Kujawa.
- 2) Abitz stated the Southwest Jones District Neighborhood Group will be having a meeting on, Wednesday, May 21, 2014, at 5:30 p.m., at GD Jones School. Jon Kindarski, Wausau PD, indicated he would be putting on a program about how to make our homes safer as far as the exterior goes.
- 3) Oberbeck stated there was a possible meeting regarding Brockmeier Park for the west side, tentatively scheduled for May 28, 2014 at Stettin School. He indicated there will be a notice when confirmed.

Consent Agenda

05/13/2014 7:26:00 PM

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

14-0401 Minutes of previous meetings. (04/08/14 & 04/15/14)

91-0917 Ordinance of the Park & Traffic Committee amending Section 10.20.070 relating to handicapped parking stall designation at the corner of Jefferson Street and N. 3rd Street to coincide with the two currently marked spaces.

10-1110 Ordinance of the Parking & Traffic Committee designating at 15-minute parking stall adjacent to 311 Garfield Avenue beginning 42 feet east of the intersection of Garfield Avenue and 4th Avenue and extending east 22 feet.

10-0407 Ordinance of the Parking & Traffic amending Section 10.20.070 relating to handicapped parking stall designation at the corner of Jefferson Street and N. 3rd Street to coincide with the two currently marked spaces.

14-0504 Resolution of the Plan Commission approving a conditional use at 811 North 3rd Avenue to allow for a community center, in a B2, Community Service District.

02-0423 Resolution of the Public Health & Safety Committee authorizing live outdoor music prior to Wisconsin Woodchucks games at Athletic Park.

14-0108 Resolution of the Public Health & Safety Committee approving or denying various licenses as indicated.

13-0612 Ordinance of the Public Health & Safety Committee amending Section 5.62.030 Exemptions and Section 5.62.060 Restrictions on Vending.

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	Neal, Tom	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

14-0505 Amendment

05/13/2014 7:28:29 PM

Motion by Rasmussen, second by Abitz to amend the Resolution of the Plan Commission approving a conditional use at 835 South 66th Avenue to allow for an online consignment auction business with an outdoor staging area, in a M1, Limited Industrial District, contingent upon review for Second Hand Dealer License with Clerk and Attorney's Offices.

Rasmussen stated this particular type of business, oftentimes when it involves the re-sale of previously owned property, falls under the requirement of needing a Secondhand Dealer's License.

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	Neal, Tom	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

14-0505

05/13/2014 7:28:48 PM

Motion by Rasmussen, second by Abitz to adopt a Resolution of the Plan Commission approving a conditional use at 835 South 66th Avenue to allow for an online consignment auction business with an outdoor staging area, in a M1, Limited Industrial District.

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	Neal, Tom	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

14-0503

05/13/2014 7:30:35 PM

Motion by Nutting, second by Abitz to approve the Mayor's appointments to the BID Board, Board of Review, Building Advisory Board, N2N Committee, Plan Commission, and Police & Fire Commission.

Oberbeck questioned what the process was for individuals on committees that have expired terms. Tipple stated that currently people who are on committees but have expired terms continue to serve until they are re-appointed, quit or are replaced.

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	Neal, Tom	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

05/13/2014 7:31:17 PM

Motion by Winters, second by Wagner to adopt a Resolution of the Finance Committee approving Project Fund Agreement and Application for Program/Fiscal Sponsorship between the City of Wausau and Community Foundation of North Central Wisconsin to fund the proposed Wausau Area Access Channel Production Fund.

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	Neal, Tom	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

14-0507

05/13/2014 7:34:20 PM

Motion by Wagner, second by Mielke to adopt a Resolution of the Parking & Traffic Committee designating No Right Turn on Red signage for northbound 17th Avenue traffic at the W. Bridge Street Intersection.

Oberbeck questioned how this will affect traffic coming down 17th Avenue when it is backed up. He had concerns when roads are icy and vehicles are sitting in the turn lane. It is a very busy corner at certain hours and he felt it could cause more traffic problems than it helps. Wagner indicated there would be a time limit on the no right turn from 6:00 AM to 6:00 PM. He explained the purpose is to help residents get out of their driveways at the first four properties. He stated it is only suggested as a trial period to see if it will take care of the problem.

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	Neal, Tom	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

14-0506

05/13/2014 7:34:55 PM

Motion by Gisselman, second by Rasmussen to adopt an ordinance of the Plan Commission Rezoning 2105 North 2nd Street from M1, Limited Industrial District and 2102 North 2nd Street from M2, General Industrial District, to B2, Community Service District.

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	Neal, Tom	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

14-0506

05/13/2014 7:35:25 PM

Motion by Gisselman, second by Nutting to adopt a Resolution of the Plan Commission approving a conditional use at 2105 North 2nd Street to allow for outdoor dining, in a B2, Community Service District.

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	Neal, Tom	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

14-0508

05/13/2014 7:39:27 PM

Motion by Wagner, second by Neal to adopt an ordinance of the Public Health & Safety Committee creating Section 8.08.011 Keeping of honey bees.

Nagle stated he did not think it was in keeping with our charge to protect the public health, safety and welfare of our citizens to allow stinging insects within the corporate limits, especially in the denser neighborhoods. Rasmussen stated it was well vetted in committee and we have written in lot size requirements, as well as distances from homes and lot lines into the ordinance. The number of hives is restricted; barriers to keep children away and fly away barriers. She indicated the request came from the Community Garden. Permits will be issued and issues handled by the Humane Officer.

Yes Votes: 9 No Votes: 2 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	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

82-1252

05/13/2014 7:41:55 PM

Motion by Neal, second by Rasmussen to adopt an ordinance of the Public Health & Safety Committee amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include keeping of honey bees violations.

Yes Votes: 9 No Votes: 2 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	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

13-0309

05/13/2014 7:42:34 PM

Motion by Wagner, second by Abitz to adopt a Resolution of the Public Health & Safety Committee authorizing the addition of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Section 3.40.010(a) for Section 8.08.011 Keeping of honey bees.

Yes Votes: 9 No Votes: 2 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	Neal, Tom	YES
5	Gisselman, Gary	YES
6	Winters, Keene	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	YES
11	Mielke, Robert	YES

14-0509

05/13/2014 7:44:16 PM

Motion by Rasmussen, second by Wagner to adopt an ordinance of the Public Health & Safety Committee creating Chapter 5.19 Escorts and Escorts Services.

Rasmussen explained this addresses the problem much better than having the police department conduct stings in which they must get people that place fake ads to show up and say certain things in order to make their arrests. She noted the Fox Valley tried this first and found that it worked and made an impact. She indicated Weston and Schofield have now adopted it, so she felt we should give it a try and allow our law enforcement professionals to partner with others in the area.

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	Neal, Tom	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

14-0510

05/13/2014 7:45:01 PM

Motion by Rasmussen, second by Kellbach to adopt an ordinance of the Public Health & Safety Committee creating Section 9.04.135 Prostitution - adopting state prohibition and prohibiting other related conduct.

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	Neal, Tom	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

82-1252

05/13/2014 7:45:47 PM

Motion by Neal, second by Kellbach to adopt an ordinance of the Public Health & Safety Committee amending Section 1.01.025(c)(1)(B) Schedule of cash deposits to include violations of escort and escort services licensing requirements and prostitution violations.

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	Neal, Tom	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

13-0309

05/13/2014 7:46:31 PM

Motion by Rasmussen, second by Neal to adopt a Resolution of the Public Health & Safety Committee authorizing the addition of fees to the city of Wausau Fees and Licenses Schedule adopted pursuant to Section 3.40.010(a) for Chapter 5.19 Escorts and Escort Services.

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	Neal, Tom	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 Comments or Suggestions (for items not appearing on the agenda).

- 1) Bernie Delonay, 1405 Holibush Ln, stated as far as Wausau Community Foundation is concerned over Public Access, even giants have feet of clay.
- 2) Nutting stated earlier tonight the Council approved the conditional use permit for the Community Corner Clubhouse and he wanted to say what an important organization it was and asked someone to speak regarding it.
- 3) Michelle Azuka, 319 N 3rd Ave, stated the Community Corner Clubhouse is a program of Northcentral Health Care and has been around for 18 years serving adults with mental health and/or addiction issues. The program is voluntary for people to come in and participate as needed. They get assistance with basic needs, such as housing or access to food; completing entitlements; or looking for work.

Adjournment

05/13/2014 7:50:07 PM

Motion by Nutting, second by Abitz to adjourn. Meeting adjourned a 7:50 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	Neal, Tom	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