

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL
held on Tuesday, November 24, 2015, at 7:00 pm in the Council Chambers at City Hall.
Mayor Tipple presiding.

Roll Call

11/24/2015 7:00:51 PM

Roll call indicated 10 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	NV
11	Mielke, Robert	YES

Proclamations:

Mayor Tipple proclaimed **November 28, 2015, Small Business Saturday**, and urged the residents in our community and communities across the country to support small businesses and merchants on Small Business Saturday and throughout the year.

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

None

Communications and Committee Reports

Wagner stated Governor Walker's Minority Entrepreneur of the Year Startup Business is one of his clients from the Entrepreneurial & Education Center, Sanchez Coating. Also, the Disabled Veteran Entrepreneur of the Year-Larger Manufacturing was American Fab & Manufacturing, which graduated from the center two years ago.

Consent Agenda

11/24/2015 7:05:29 PM

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

15-1101 Minutes of previous meetings (11/10/15)

15-1112 Resolution of the Capital Improvements and Street Maintenance Committee approving easement for facilities located along 1st Street (WPS).

02-1005 Resolution of the Capital Improvements and Street Maintenance Committee approving Relocation order for the reconstruction of Thomas Street from 4th Avenue to 17th Avenue.

15-0916 Final Resolution of the Capital Improvements and Street Maintenance Committee and Plan Commission vacating and discontinuing a portion of 80th Avenue.

15-0915 Final Resolution of the Capital Improvement and Street Maintenance Committee and the Plan Commission vacating discontinuing a portion of alley bounded by Prospect Avenue, Genrich Street, Dunbar Street and Single Avenue.

01-0718 Joint Resolution of the Airport and Finance Committee authorizing execution of a five (5) year lease between the City of Wausau ("City") and the United States of America ("Lessee") for use by the Federal Aviation Administration for antenna and rack space at the City of Wausau Downtown Airport.

14-1109 Resolution of the Finance Committee authorizing a Contribution of \$5,000 to the Hmong Veterans Memorial.

15-0108 Resolution of the Public Health & Safety Committee authorizing a waiver of 10.32.020 Restrictions on permit, for the Holiday Parade 2015 (Wausau Events).

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

15-0904

11/24/2015 7:06:23 PM

Motion by Neal, second by Rasmussen to adopt a final resolution of the Capital Improvement and Street Maintenance Committee and the Plan Commission vacating and Discontinuing the alley abutting 215 East Thomas Street west to Emter Street. Failed 1-9.

Yes Votes: 1 No Votes: 9 Abstain: 0 Not Voting: 1 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	Neal, Tom	YES
5	Gisselman, Gary	NO
6	Winters, Keene	NO
7	Rasmussen, Lisa	NO
8	Kellbach, Karen	NO
9	Oberbeck, David	NO
10	Abitz, Sherry	NV
11	Mielke, Robert	NO

Suspend Rules

11/24/2015 7:07:01 PM

Motion by Neal, second by Rasmussen to suspend Rule 1(D) Transmission of Committee Business to Council for the following items - (2/3 Vote required).

Yes Votes: 9 No Votes: 1 Abstain: 0 Not Voting: 1 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	NO
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	YES
10	Abitz, Sherry	NV
11	Mielke, Robert	YES

15-1109

11/24/2015 7:09:59 PM

Motion by Nutting, second by Oberbeck to adopt a resolution of the Finance Committee authorizing the modification of fees to the City of Wausau Fees and Licenses Schedule adopted pursuant to Wausau Municipal Code.

Groat noted there were some corrections to schedule to the park fee structure. She stated the residential licensing fee was originally proposed to increase from \$20 to \$25, but the committee amended it to keep it at \$20.

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

15-1013

11/24/2015 7:12:12 PM

Motion by Neal, second by Nutting to adopt a resolution of the Finance Committee approving 2016 contract for residential and commercial building inspection services between the City of Wausau and City of Schofield.

Wagner questioned how the fee was structured and if we were making money or losing money. Hebert referred to the worksheet in the packet and estimated making about 5%. Oberbeck indicated he voted against it because he did not believe it was budget neutral or even an increase. He felt it was subsidizing the City of Schofield's inspection services.

Yes Votes: 8 No Votes: 2 Abstain: 0 Not Voting: 1 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	NO
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	NV
11	Mielke, Robert	YES

15-1111

11/24/2015 7:24:59 PM

Motion by Nutting, second by Wagner to adopt a joint resolution of the Economic Development and the Finance Committees accepting the response from 1800 Stewart Avenue, LLC as satisfactory completing the intent of the signed Development Agreement.

Abitz entered the meeting.

Winters questioned what this cost the city as there was no fiscal information on the resolution. Werth stated there was no fiscal impact because the goals of the development agreement have been met and exceeded in some instances, and it was funded through Block Grant. Winters pointed out it did not meet the \$1.4 million in fair market value. Groat stated the remedy on the contract is for them to pay back the grant of \$35,000. Werth pointed out the land is still contaminated and under a DNR order.

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

12-1116

11/24/2015 7:35:39 PM

Motion by Nutting, second by Rasmussen to adopt a resolution of the Finance Committee approving the Assessment Services Contract between the City of Wausau and the City of Schofield to provide assessment services to the City of Schofield for the assessment of real and personal property of contract years 2016-2020.

Oberbeck could not understand why we would take a \$24,000 contract and reduce it to \$18,000 per year and lock it in for five years. We charge our residents \$600,000 per year to do assessment services in the City of Wausau. He did not feel this was an appropriate fee for the cost of the service and that we were subsidizing services to other cities at the expense of our residents.

Nutting questioned if Schofield received a lower offer and Giese confirmed that it had. Nutting felt we have invested a lot and another company could take advantage of all the work that has already been done.

Wagner felt there should at least have been a 1% or 3% increase per year built into the contract instead of just a lump sum. Discussion took place regarding the City of Wausau Assessment Department budget and operations.

Yes Votes: 5 No Votes: 6 Abstain: 0 Not Voting: 1 Result: FAIL

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Nagle, William	YES
2	Wagner, Romey	NO
3	Nutting, David E.	YES
4	Neal, Tom	NO
5	Gisselman, Gary	YES

6	Winters, Keene	NO
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Oberbeck, David	NO
10	Abitz, Sherry	NO
11	Mielke, Robert	NO

Closed Session

11/24/2015 7:37:52 PM

Motion by Mielke , second by Nutting to move to CLOSED SESSION pursuant to Section 19.85(1)(e) of the Wisconsin Statutes for Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, regarding the payment of rent loss in lieu of relocation benefits and rent differential for 1040 South 4th Avenue (Thomas Street Project).

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

Closed Session

11/24/2015 7:38:54 PM

Motion by Mielke, second by Neal to move to CLOSED SESSION pursuant to Section 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, for the purpose of conferring with legal counsel regarding pending tax litigation and related claims for excessive assessment involving Walgreen Co., Case No. 11 CV 958 and 2015 Claims (17th Ave and Central Bridge St.)

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

Adjourned in Closed Session.

James E. Tipple, Mayor
Toni Rayala, City Clerk