

**OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL**  
held on Tuesday, April 26, 2016, at 7:00 pm in the Council Chambers at City Hall.  
Mayor Mielke presiding.

**Roll Call**

04/26/2016 7:01:09 PM

Roll call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Present</u>
1	Peckham, Patrick	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Gehin, Joe	YES
10	Abitz, Sherry	YES
11	Smith, Dennis	YES

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

None

**Communications & Committee Reports**

- 1) Wagner stated on behalf of the Council he would like to extend condolences and sympathies to Dave DeSantis on the passing of his mother. The funeral will be held on Friday.
- 2) Nutting thanked the Public Works Department for the amazing job they did on "Clean up Wausau."
- 3) Abitz stated she was unable to attend the last Southwest Jones Neighborhood Group meeting, but she normally donates flowers for the 3M Park and was looking for someone to help her plant them.
- 4) Gisselman stated one of the issues we should be thinking about, possibly as a Committee of the Whole, would be to try to find funds to televise all the committee meetings, or at least the standing committees. He felt they should be available to the public online as well as on cable.

**Consent Agenda**

04/26/2016 7:08:17 PM

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

*Motion by Abitz, second by Nutting to amend motion to remove 08-0609 from the Consent Agenda. Motion carried unanimously.*

**16-0301** Minutes of previous meeting(s). (03/22/2016)

**99-1104** Resolution of the Finance Committee amending the Procurement Policy sole Source Authorization for Water and Sewer Utility.

**16-0412** Resolution of the Plan Commission accepting a public sculpture along the River Edge Parkway at 146 W. Washington Street.

Yes Votes: 11    No Votes: 0    Result: PASS

**08-0609**

04/26/2016 7:09:55 PM

Motion by Abitz, second by Neal to approve the resolution of the Park & Recreation Committee authorizing Temporary Easement agreement - Athletic Park Parking (Wilson Hurd)

Abitz questioned if there was a way to do a longer contract versus an annual. Bill Duncanson, Park Department, explained it is a standard period that Wilson Hurd has offered to us. He indicated he has asked them for longer periods and if they would consider offering us a first right of refusal if they sell the property. Their internal decision is they need to keep their options open as to the future of their company, however, they are more than happy to let the city use it at no cost.

Yes Votes: 11    No Votes: 0    Result: PASS

**16-0403**

04/26/2016 7:10:36 PM

Motion by Neal, second by Wagner to confirm the Mayor's appointments to the Bicycle & Pedestrian Advisory Committee and the Board of Review.

Yes Votes: 11 No Votes: 0 Result: PASS

**15-1109**

04/26/2016 7:11:03 PM

Motion by Nutting, second by Kellbach to adopt a Resolution of the Finance Committee authorizing Various Room Tax Grants and modification of the 2016 Budget.

Yes Votes: 11 No Votes: 0 Result: PASS

**15-1109**

04/26/2016 7:11:37 PM

Motion by Neal, second by Rasmussen to adopt a Resolution of the Finance Committee approving Modification of the 2016 Budget for the Payment of the Walgreens 2015 Excessive Tax Claim.

Yes Votes: 11 No Votes: 0 Result: PASS

**01-1106**

04/26/2016 7:12:06 PM

Motion by Kellbach, second by Abitz to adopt a Resolution of the Finance Committee amending the Budget Policy for Utility Fund Budget Modifications.

Yes Votes: 11 No Votes: 0 Result: PASS

**02-1005**

04/26/2016 7:12:31 PM

Motion by Nutting, second by Abitz to adopt a Resolution of the Finance Committee approving acquisition of 1038 South 15<sup>th</sup> Avenue.

Yes Votes: 11 No Votes: 0 Result: PASS

**02-1005**

04/26/2016 7:13:09 PM

Motion by Wagner, second by Abitz to adopt a Resolution of the Finance Committee approving acquisition of 1102 South 13<sup>th</sup> Avenue.

Yes Votes: 11 No Votes: 0 Result: PASS

**16-0219 Reintroduction - Rule 6(C)**

04/26/2016

Resolution of the Finance Committee approving alleged claim for excessive assessment – Fernando and Heidi Riveron (1010 Franklin Street) - *WITHDRAWN*

Jacobson explained this item was being withdrawn from the agenda because the rule states an item that has been defeated can be reintroduced if it has been more than 30 days since it was last acted upon, however, this action was an approval not a defeat, so a reintroduction is not appropriate.

**Suspend the Rule**

04/26/2016 7:15:43 PM

Motion by Nutting, second by Neal to suspend the Rule 1(D) Transmission of Committee Business to Council for the following items:

Yes Votes: 11 No Votes: 0 Result: PASS

**16-0219**

04/26/2016 7:16:24 PM

Motion by Wagner, second by Gehin to adopt a Resolution of the Finance Committee approving clarification of amount of claim for excessive assessment - Fernando and Heidi Riveron.

*Abitz indicated she would abstain from voting as she did on the original resolution.*

Yes Votes: 10 No Votes: 0 Abstain: 1 Result: PASS

Motion by Neal, second by Rasmussen to adopt a Resolution of the Finance Committee approving modification of the 2016 budget for the claim for recovery of unlawful tax - Achieve Center, Inc.

Rasmussen clarified there was discussion in the Finance Committee regarding the amounts; the percentage of the building that is leased out versus the percentage they operate in that should be tax exempt. The committee upheld that this Council made a decision, even though it was not unanimous the directive needed to be followed.

Yes Votes: 11 No Votes: 0 Result: PASS

08-0917

Motion by Gehin, second by Rasmussen to adopt a Resolution of the Finance Committee approving termination of agreement between the City of Wausau and McDevco for the construction and operation of a paved surface parking lot bounded by 1<sup>st</sup>, 2<sup>nd</sup> and Scott Streets.

Yes Votes: 11 No Votes: 0 Result: PASS

16-0413

Motion by Wagner, second by Neal to adopt a Resolution of the Common Council approving hiring of special counsel to advise the Ethics Board regarding ethics complaint filed by Keene Winters.

Yes Votes: 11 No Votes: 0 Result: PASS

**Proclamation**

Mayor Mielke proclaimed *April 24 – 30, 2016 as CREATIVE ECONOMY WEEK* in the City of Wausau and urged all citizens to celebrate and promote the arts, creativity, and vitality in and four our community and throughout the state.

**Public Comment or Suggestions**

None

**CLOSED SESSION**

Motion by Rasmussen, second by Neal to move into CLOSED SESSION pursuant to Section 19.85(1)(g) of the Wisconsin Statutes 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, regarding State of Wisconsin ex rel. City of Wausau et al. v. Village of Maine et al. Marathon County Case No. 16CV74.

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

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Peckham, Patrick	YES
2	Wagner, Romey	YES
3	Nutting, David E.	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Kellbach, Karen	YES
9	Gehin, Joe	YES
10	Abitz, Sherry	YES
11	Smith, Dennis	YES

**Adjourn**

Adjourned in closed session at 8:30 pm.

Robert B. Mielke, Mayor  
Toni Rayala, City Clerk