



REVISED PUBLIC MEETING NOTICE
WISCONSIN RAPIDS COMMON COUNCIL
TUESDAY, MARCH 19, 2024
6:00 P.M.
CITY HALL COUNCIL CHAMBERS
ITEMS 12 AND 13 ADDED

Notice is hereby given of a meeting of the Wisconsin Rapids Common Council to be held in the Council Chambers at City Hall, 444 West Grand Avenue, Wisconsin Rapids, on Tuesday, March 19, 2024 at 6:00 p.m. The meeting will be streamed live on the City of Wisconsin Rapids Facebook page and will also be broadcast live on Charter Cable Channel 985 and Solarus HD Cable Channel 3. If a member of the public wishes to access this meeting live via Zoom audio conferencing, you must contact the City Clerk at least 24 hours prior to the start of the meeting to coordinate your access. This meeting is also available after its conclusion on the City's Facebook page and Community Media's YouTube page, which can be accessed at www.wr-cm.org. It is possible that members of the Council may appear remotely via video or audioconferencing for this meeting.

Agenda

1. Call to Order
2. Roll Call
3. Pledge of Allegiance and Silent Prayer in Lieu of Invocation
4. Recognition of Chief Election Inspector
5. Reading of the Minutes of the Previous Meeting held on February 20, 2024 (See Attachment #1)
6. Consider for adoption a Resolution for No Mow May (See Attachment #2)
7. Discuss and set April business and reorganizational Council meetings
8. Consider for Adoption the Actions of the Planning Commission at its meeting held on March 4, 2024:
 1. Approval of the report from February 5, 2024, Planning Commission meeting.
 2. Request from Nieman Properties LLC to dedicate right-of-way along West Grand Avenue at 2141 West Grand Avenue (Parcel ID 3403426) and 2111 West Grand Avenue (Parcel ID 3403425) via certified survey map to combine three parcels
 3. 23-000127; VIA Real Estate, LLC – request for a Site Plan Review amendment to construct a car wash at 4120 8th Street South (Parcel ID 3414102)
 4. 23-000123; Matt Burow – request for a Site Plan Review to construct personal storage facilities on a portion of the parcel located at 1501 24th Street South (Parcel ID 3409200)
 5. 24-000100; Consolidated Water Power Company – public hearing and action on a request for a zoning map amendment to rezone 2721 5th Avenue North (Parcel ID 3400447A) from Rural Residential (RR) and Mixed Residential (R-2) District to General Industrial (M-1) District
 6. 24-000130; City of Wisconsin Rapids – public hearing and action on a request for a zoning map amendment to rezone three unaddressed parcels at the southwest intersection of 5th Avenue North and West Riverview Expressway (STH 34), Parcel ID's 3400440, 3400454, and 3400333 from Rural Residential (RR) District to General Industrial (M-1) District
 7. 24-000131; City of Wisconsin Rapids – public hearing and action on a request to amend Chapter 11 - Zoning Ordinance, Appendix B and Appendix C, specifically relating to twin home (zero-lot line) development standards, to clarify lot size, setbacks and other requirements for the use
 8. Adjourn
9. Consider for Adoption the Actions of the Standing Committees of the Common Council, as follows:
 - A. Finance and Property Committee meeting held on March 5, 2024:
 1. Call to Order
 2. Consider for approval a request from SN RAM Hotels LLC, D/B/A Hotel Mead and Conference Center, Narendra R. Patel, agent, for Retail Class "B" Fermented Malt Beverages and Retail "Class B"

Intoxicating Liquor licenses for the premise located at 451 East Grand Avenue.

3. Consider for approval a Temporary Retail Class "B" Fermented Malt Beverages License and a Temporary Retail "Class B" Wine License for Assumption Catholic Schools, 445 Chestnut Street, for an Assumption Talent Show event to be held on Saturday, March 16, 2024 from 5:30 p.m. to 10:00 p.m.
4. Consider for approval a request from ecoATM, LLC, Sean Flaherty, agent, located at 4331 8th Street South for renewal of a Secondhand Article Dealer License.
5. Consider for approval a request to replace the existing chiller at City Hall using budgeted funds.
6. Consider for approval a request to install and update the building access, cameras and security system at Centralia Center.
7. Presentation by the Wisconsin Rapids Fire Department and request to consider for approval the ordering of a truck to replace Truck 5.
8. Audit of the bills.
9. Set next meeting date.
10. Adjournment.

B. Public Works Committee meeting held on March 7, 2024:

1. Call to order
2. Review Engineering & Street Department Monthly Activity Report
3. Review and consider updates to Ch 27 Parking regarding parking meters and overnight parking.
4. Consider a request to allow residential properties additional garbage bins for an additional fee.
5. Review Referral List
6. Set Next Meeting Date
7. Adjourn

C. Human Resources Committee held on March 12, 2024:

1. Call to order.
2. Consider repealing or revising the City's employee residency ordinance, and the corresponding City personnel policy; and affirm that Water Works and Lighting Commission employee residency shall be as set by Water Works and Lighting Commission policy.
3. Discuss and consider for approval the elimination of the part-time Airport Attendant and approve and post a position of full-time Airport Attendant.
4. HR update.
5. Adjournment

10. Reports of Other Committees, Commissions, Boards, and Department Reports:

- a. Wisconsin Rapids Housing Authority held October 5, 2023
 - b. McMillan Memorial Library Services Committee held January 9, 2024; Building and Grounds Committee held February 14, 2024
 - c. South Wood County Airport Commission held February 1, 2024
 - d. Police and Fire Commission held February 14 and February 22, 2024
 - e. Park and Recreation Commission held March 11, 2024
- Department Reports for February 2024
- f. Engineering Department
 - g. Public Works Department
 - h. South Wood County Airport
 - i. Wastewater Treatment Plant
 - j. Wisconsin Rapids Fire Department and annual report for 2023
 - k. Wisconsin Rapids Police Department and annual report for 2023

11. Referrals to Committees

- 12. In open session, the Council may vote to go into closed session under Section 19.85(1)(e), Wis. Stats., which reads: "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session"; and Section 19.85(1)(g), Wis. Stats., which reads: "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."**

In closed session, the Council will consider a Claim for Unlawful Tax by Marshfield Clinic, Inc., of its 2023 general property tax assessment for Tax Parcel No. 34-10784, street addresses of 220 and 440 24th Street South, City of Wisconsin Rapids. (See Attached Claim)

13. The Council will return to open session and may continue discussion and may consider a Resolution regarding the Claim for Unlawful Tax identified above. (See Attached Resolution)
14. Adjournment.

Jennifer M. Gossick, City Clerk

The City of Wisconsin Rapids encourages participation from all its citizens. If participation at this meeting via audioconference is not possible due to a disability or other reasons, notification to the city clerk's office at least 24 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. Call the clerk at (715) 421-8200 to request accommodations.

HUSCH BLACKWELL

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Partner

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January 8, 2024

VIA PERSONAL SERVICE

City of Wisconsin Rapids Clerk
444 W. Grand Avenue
Wisconsin Rapids, WI 54495

Re: Refund Claim for 2023 Unlawful Tax
Marshfield Clinic, Inc.
220 24th Street South & 440 24th Street South
Tax Parcel No. 34-10784

Dear Clerk:

On behalf of Marshfield Clinic, Inc. (“Marshfield Clinic”), and pursuant to Wis. Stat. § 74.35(2), we file this refund claim (“Claim”) for unlawful tax against the City of Wisconsin Rapids (the “City”) to recover that amount of the general property tax imposed on the above-referenced parcel of real property (“Property”) because the City’s January 1, 2023 assessment (the “2023 Assessment”) was unlawful.

In support of this Claim, the Property was exempt from taxation on January 1, 2023 under Wis. Stat. § 70.11, and its assessment as taxable property was non-uniform with the exemptions granted other properties in the same classification.

The City’s 2023 Assessment included \$4,746,000 of exempt property. Accordingly, Marshfield Clinic’s Claim is in the amount of not less than \$136,381.08, plus any interest as provided by law.

Marshfield Clinic has complied with the procedures for objecting to the 2023 Assessment under Wis. Stat. § 74.35. Marshfield Clinic has not contested the 2023 Assessment of the Property under Wis. Stat. §§ 74.33 or 806.04.

Despite the unlawful assessment of the Property, Marshfield Clinic has paid on December 28, 2023, prior to the filing of this Claim, the first installment tax payment of \$46,369.58 alleged to be due. (See Exhibit A, attached.)

HUSCH BLACKWELL

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By this letter, Marshfield Clinic has stated a valid claim to recover taxes paid with respect to the unlawful taxes on the Property for the 2023 tax year. Marshfield Clinic respectfully requests that the City act on this Claim within 90 days from the date of service thereof.

Please contact the undersigned with any questions regarding this matter.

Very truly yours,



Smitha Chintamaneni

Attachment

RESOLUTION No. ____ (2024)

CITY OF WISCONSIN RAPIDS

A RESOLUTION DENYING A CLAIM FOR UNLAWFUL TAX ASSESSMENT BY MARSHFIELD CLINIC, INC.

WHEREAS, Claimant, Marshfield Clinic, Inc. (“Marshfield Clinic”), by and through its attorney, Husch Blackwell, has presented a written claim for unlawful property tax assessment concerning the 2023 property tax assessment of property with mailing addresses of 220 and 440 24th Street South, City of Wisconsin Rapids, Wisconsin, further identified by Parcel Identification Number 34-10784, by filling a Refund Claim for 2023 Unlawful Tax dated January 8, 2024, and attached hereto (“Claim”); and

WHEREAS, Marshfield Clinic contends that the 2023 property tax assessment of the subject property in the amount of \$136,381.08 was unlawful under Wis. Stat. §74.35(2); and

WHEREAS, upon receipt of the Claim, the Claim was presented to the Wisconsin Rapids Common Council for review and consideration; and

WHEREAS, the Wisconsin Rapids Common Council, having considered the Claim and the information presented, may act on the Claim by allowing it or by disallowing it within 90 days of service of the Claim;

NOW, THEREFORE, BE IT RESOLVED that the City of Wisconsin Rapids Common Council, after careful and thorough review of the Claim, hereby resolves to disallow the Claim, and directs the City Clerk to provide proper notice of this action by certified mail to Marshfield Clinic by and through its attorney.

Adopted by the Common Council of the City of Wisconsin Rapids this 19th day of March, 2024.

APPROVED:

Shane E. Blaser, Mayor

Jennifer M. Gossick, City Clerk

Ayes: _____

Nays: _____