

**City of Stevens Point
REGULAR COUNCIL MEETING**

**Council Chambers
County-City Building**

**October 15, 2012
7:00 P.M.**

1. Roll Call.
2. Salute to the Flag and Mayor's opening remarks.
3. Consideration and possible action of the minutes of the Common Council meeting of September 17, 2012 and the Special Common Council meetings of September 24, October 1, and October 8, 2012.
4. *Persons who wish to address the Mayor and Council on specific agenda items other than a "Public Hearing" must register their request at this time. Those who wish to address the Common Council during a "Public Hearing" are not required to identify themselves until the "Public Hearing" is declared open by the Mayor.
5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.
6. Presentation by Lori Dehlinger - annual report for the Portage County Business Council.

Consideration and Possible Action on the Following:

7. Minutes and actions of the Plan Commission meeting of October 1, 2012 and the minutes of the of the Special Plan meeting of September 24, 2012.
8. Public Hearing – Conditional Use - Request from JD Manville, representing the owner/applicant to increase the occupancy at 927-933 Main Street (Parcel ID 2408-32-2018-03) from 8 to 12 with four off-site parking permits.
9. Resolution on the above.
10. Ordinance - Annexation - Request from Myron Soik and Sons Inc., Blue Top Farms Inc., The Mocadlo Family, and James and Delores Zakrzewski for the purpose of annexing multiple unaddressed properties located in the towns of Hull, Stockton, and Plover to the City of Stevens Point. Such land, consisting of approximately 762 acres, is to be known as East Park Commerce Center, and is located north of County Road HH, east of Brilowski Road/County Road R, south of Canadian National Railroad right-of-way, and west of Burbank Road (County Parcel ID's: 30230801-13, 34230906:08.01, 34230906:07, 34230906:09.01, 34230906:10, 34230906:24, 34230906:09.03, 34230906.23, 34230906.25, 34230906:26.01, 020230801-03.02, 30230801-14, 30230801-09, 30230801-15, 30230801-12, 020230801-01.04, 020230801-01.02, 020230801-04.02, 020230801-04.01, 034230906:08.04, 34230906:09.02, 020230801-05.02, 020230801-02.06, 020230801-02.02,

020230801-03.01, and 30230801-16.01). Such annexation includes the northern half of the adjacent right-of-way of County Road HH.

11. Public Hearing – Amend Chapter 23 (Zoning Code) of the RMC to establish permanent zoning classification for the properties indicated in the previous agenda item (East Park Commerce Center).
12. Ordinance amendment on the above.
13. Public Hearing –Amend Chapter 23 (Zoning Code) of the RMC to allow for a lesser setback for schools, churches, community or senior centers, and hospitals, through the conditional use process, within the R-3 Single Family and Two Family Residence District (Section 23.02(1)(e)(4)).
14. Ordinance amendment on the above.
15. Public Hearing –Amend Chapter 23 (Zoning Code) of the RMC to reduce the minimum number of required parking spaces for medical and dental clinics for from 1 space per 200 sq. ft. for buildings under 10,000 sq. ft. and from 1 space per 300 sq. ft. for buildings exceeding 10,000 sq. ft., to 1 space per 300 sq. ft. for all buildings (Section 23.01(14)(d)(4)).
16. Ordinance amendment on the above.
17. Public Hearing –Amend Chapter 23 (Zoning Code) of the RMC to delete and recreate Section 23.02(4)(b) relating to standards and requirements for Planned Development Districts.
18. Ordinance amendment on the above.
19. Minutes and actions of the Public Protection Committee meeting of October 8, 2012.
20. Minutes and actions of the Finance Committee meeting of October 8, 2012 and the minutes of the Special Finance meeting of September 24, 2012.
21. Minutes and actions of the Board of Public Works meeting of October 8, 2012.
22. Minutes and actions of the Personnel Committee meeting of October 8, 2012.
23. Minutes and actions of the Board of Water & Sewage Commissioners meeting of October 8, 2012.
24. Ordinance Amendment – Sect. 13.17(2) of the RMC - Establishing storm water utility rates.
25. Minutes and actions of the Board of Park Commissioners meeting of October 3, 2012.
26. Minutes and actions of the Police and Fire Commission meeting of October 2, 2012 and the Special Police and Fire Commission meeting of September 24, 2012.

27. Statutory Monthly Financial Report of the Comptroller-Treasurer.
28. Mayoral Appointments:
Supplemental Poll Workers
29. Adjournment.

RMC – Revised Municipal Code

Persons who wish to address the Common Council may make a statement as long as it pertains to a **specific** agenda item. Persons who wish to speak on an agenda item will be limited to a five (5) minute presentation. Any person who wishes to address the Common Council on a matter which is not on the agenda will be given a maximum of three (3) minutes and the time strictly enforced under the item, "Persons who wish to address the mayor and council on non-agenda items." Individuals should not expect to engage in discussion with members of the City Council and City staff.

Any person who has special needs while attending this meeting or needing agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569, TDD #346-1556, or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during the regular business hours from 7:30 A.M. to 4:00 P.M.

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF STEVENS POINT

(Generally described as bounded by C.T.H. HH to the south, Burbank Road to the east, CN Railway to the north and Brilowski Road (C.T.H. R) to the west.)

The Common Council of the City of Stevens Point, Portage County, Wisconsin, do ordain as follows:

SECTION 1: Territory Annexed. Pursuant to Wis. Stat. §66.0217(2) the following described territory shall be detached from the Town of Hull, Town of Plover and the Town of Stockton, Portage County, Wisconsin and is annexed to the City of Stevens Point, Portage County, Wisconsin:

The land description is attached hereto as Exhibit 'A' and a scale Annexation Map is attached hereto as Exhibit 'B' and a Political Districts Map is attached as Exhibit 'C' and shall become a part of this ordinance.

SECTION II: Effect of Annexation. From and after the date of this ordinance, the territory described in Section I shall be a part of the City of Stevens Point for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Stevens Point and school district.

SECTION III: Zoning Classification. All such land being annexed to the City of Stevens Point shall be temporarily designated "RLD" Residential Low Density District for zoning purposes. Permanent zoning shall be approved by the Common Council of the City of Stevens Point.

SECTION IV: State Legislative, County Supervisory, and City Aldermanic District Designation. The territory described in Section I and as depicted on Exhibit 'C' lying in the **Town of Plover** and **Town of Stockton** shall remain a part of the 7th Congressional District, shall remain a part of the 24th State Senate District and shall remain a part of the 71st State Assembly District and shall become a part of the 7th County Supervisory District and shall become a part of the 16th Ward of the 6th Aldermanic District.

The territory described in Section I and as depicted on Exhibit 'C' lying in the **Town of Hull** shall remain a part of the 7th Congressional District, shall remain a part of the 24th State Senate District and shall remain a part of the 70th State Assembly District and shall become a part of the 7th County Supervisory District and shall be designated and become the 37th Ward of the 6th Aldermanic

District of the City of Stevens Point subject to the ordinances, rules and regulations of the City, County, and State governing districts.

SECTION V: Population. The population of the annexed territory is zero (0).

SECTION VI: Severability. If any provision of this ordinance is invalid or unconstitutional or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any provisions or application of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION VII: Tax Payment. Pursuant to Wis. Stat. §66.0217 (14) the City of Stevens Point shall pay annually to the Town of Hull, Town of Plover and Town of Stockton for a period of five years, an amount equal to the amount of property taxes that the Town levied for municipal purposes on the annexed territory, as shown by the tax roll under Wis. Stat. §70.65, in the year in which the annexation is final.

SECTION VIII: Review. The State of Wisconsin, Department of Administration, has favorably reviewed the annexation and found it not to be against the public interest.

SECTION IX: Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

APPROVED: _____
Andrew J. Halverson, Mayor

ATTEST: _____
John Moe, City Clerk

Dated: _____, 2012

Adapted: _____, 2012

Published: _____, 2012

This instrument drafted by:
John Moe
City Clerk
City of Stevens Point

EXHIBIT 'A'

ANNEXATION DESCRIPTION EAST PARK COMMERCE CENTER

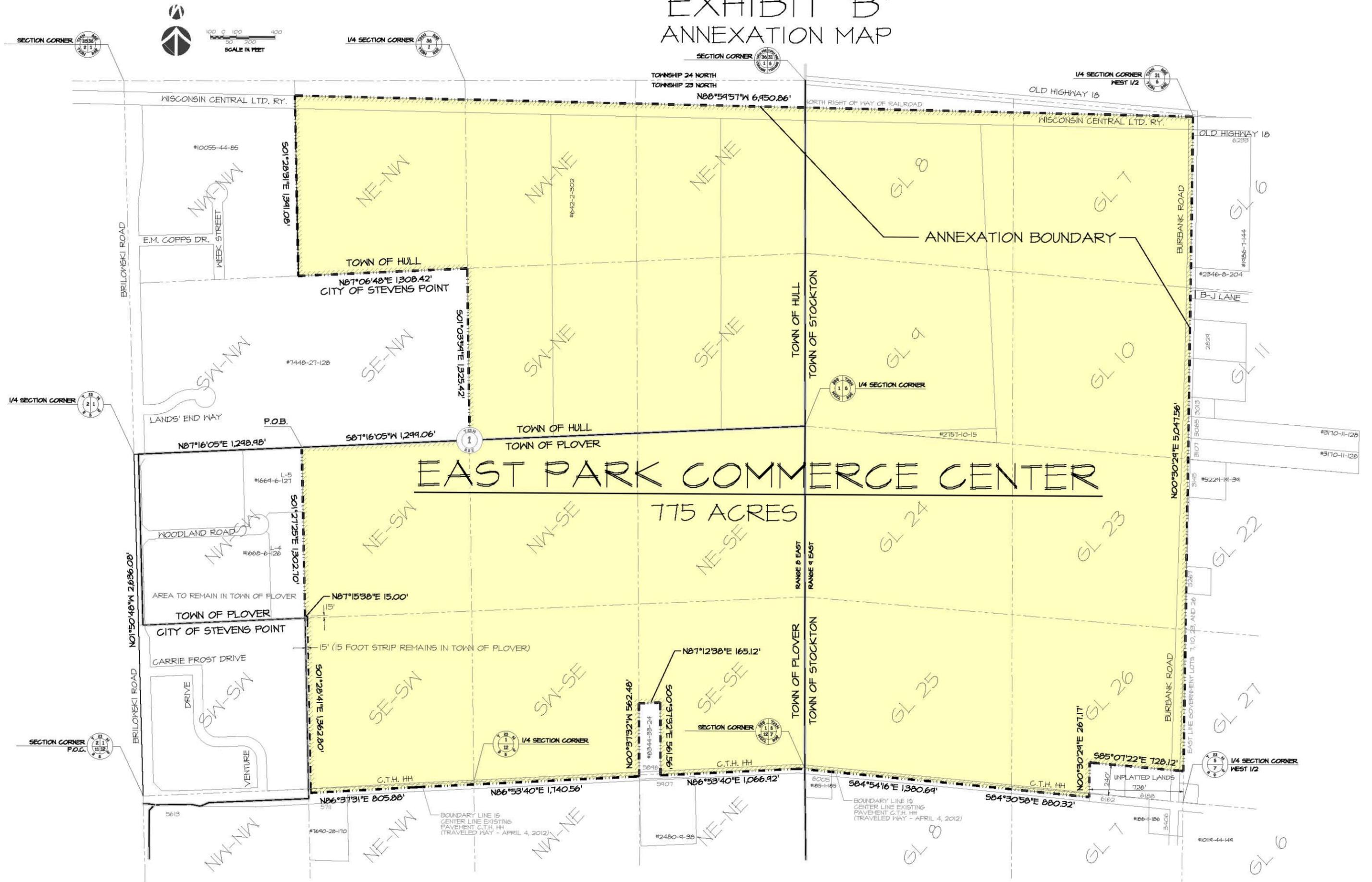
That part of the Northeast Fractional Quarter of the Northwest Quarter and the Northeast Fractional Quarter of Section 1, Township 23 North, Range 8 East, **Town of Hull**, the Northeast Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter, and the Southeast Quarter of Section 1 and part of the Northeast Quarter of the Northwest Quarter, the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter of Section 12, Township 23 North, Range 8 East, **Town of Plover**, and that part of Government Lots 6,7,8,9,10,11,22,23,24,25, and 26 of Section 6, and Government Lots 7 and 8 of Section 7, all in Township 23 North, Range 9 East, **Town of Stockton**, all in Portage County, State of Wisconsin described as follows:

Commencing at the southwest corner of said Section 1; thence North 01 degree 50 minutes 48 seconds West along the west line of said Section 1 a distance of 2,636.08 feet to the west quarter corner of said Section 1; thence North 87 degrees 16 minutes 05 seconds East along the north line of the Northwest Quarter of the Southwest Quarter of said Section 1 a distance of 1,298.98 feet to the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 1 and the **point of beginning** of this annexation; thence South 01 degree 21 minutes 25 seconds East along the west line of said Northeast Quarter of the Southwest Quarter 1,302.70 feet to a line 15.00 feet north of and parallel with the south line of said Northeast Quarter of the Southwest Quarter; thence North 87 degrees 15 minutes 38 seconds East along said parallel line 15.00 feet; thence South 01 degree 28 minutes 41 seconds East on a line 15 feet east of and parallel with said west line of the Southeast Quarter of the Southwest Quarter of Section 1 and its southerly extension 1,362.80 feet to the center line of the traveled way (centerline of pavement April 4, 2012) of County Trunk Highway HH (C.T.H. HH); thence North 86 degrees 37 minutes 31 seconds East along said traveled way 805.88 feet; thence continuing North 86 degrees 53 minutes 40 seconds East along said traveled way 1,740.56 feet to its intersection with the southerly extension of the west line of Lot 1 of Portage County Certified Survey Map Number 8344-33-24; thence North 00 degree 37 minutes 32 seconds West along said west line 562.48 feet to the northwest corner of said Lot 1; thence North 87 degrees 12 minutes 38 seconds East along the north line of said Lot 1 a distance of 165.12 feet; thence South 00 degree 37 minutes 32 seconds East along the east line of said Lot 1 and its southerly extension 561.56 feet to its intersection with said center line of the traveled way of C.T.H. HH; thence North 86 degrees 53 minutes 40 seconds East along said traveled way 1,066.92 feet;

thence continuing South 84 degrees 54 minutes 16 seconds East along said traveled way 1,380.69 feet; thence continuing South 84 degrees 30 minutes 58 seconds East along said traveled way 880.32 feet to its intersection with the southerly extension of the west line of the east 726 feet of Government Lot 26 of said Section 6, Township 23 North, Range 9 East; thence North 00 degree 30 minutes 29 seconds East along said west line 267.17 feet to its intersection with the north line of the south 240 feet of said Government Lot 26; thence South 85 degrees 07 minutes 22 seconds East along said north line 728.12 feet to its intersection with the east line of Government Lot 26, Township 23 North, Range 8 East; thence North 00 degree 30 minutes 29 seconds East along said east line and the east line of Government Lots 23, 10 and 7 in said township and range 5,047.56 feet to its intersection with the north right of way line of the Wisconsin Central Limited Railway (part of the Canadian National Railway); thence North 88 degrees 59 minutes 57 seconds West along said north right of way line 6,950.86 feet to its intersection with the west line of the Northeast Fractional Quarter of the Northwest Quarter of Section 1, Township 23 North, Range 8 East; thence South 01 degree 28 minutes 31 seconds East along said west line 1,391.08 feet to its southwest corner; thence North 87 degrees 06 minutes 48 seconds East along the south line of said Northeast Fractional Quarter of the Northwest Quarter 1,308.42 feet to the northwest corner of the Southwest Quarter of the Northeast Quarter; thence South 01 degree 03 minutes 59 seconds East along the west line of said Southwest Quarter of the Northeast Quarter 1,325.42 feet to the northeast corner of said Northeast Quarter of the Southwest Quarter; thence South 87 degrees 16 minutes 05 seconds West along the north line of said Northeast Quarter of the Southwest quarter 1,299.06 feet to the northwest corner of said Northeast Quarter of the Southwest Quarter of Section 1 and the point of beginning and there terminating.

Said annexation contains approximately 775 acres.

EXHIBIT 'B' ANNEXATION MAP



SCHEDULE OF LANDS				
EAST PARK COMMERCE CENTER ANNEXATION				
TOWN PARCEL ID	NAME ON MAP	ACREAGE IN CITY	COMMENTS	
020-23-0801-05.02	MOCADLO Thomas Et al	37.01	JAKUSZ, Margaret	
020-23-0801-02.06	MOCADLO Thomas Et al	17.45	JAKUSZ, Margaret	
020-23-0801-02.02	MOCADLO Thomas & Sandra	17.35		
020-23-0801-01.04	MOCADLO, Bernard	15.71		
020-23-0801-01.02	MOCADLO, Bernard	15.41		
020-23-0801-03.01	MOCADLO Thomas Et al	19.92	JAKUSZ, Margaret	
020-23-0801-03.02	BLUETOP FARMS, INC.	19.93	James Zakrzewski	
020-23-0801-04.01	MOCADLO, Bernard	19.85		
020-23-0801-04.02	MOCADLO, Bernard	19.86		
030-23-0801-13	MS&S ENTERPRISES	39.39	Myron Soik	
030-23-0801-16.02	BEMBENEK, Royal & Kathryn	0.00	Not Annexed	
030-23-0812-05.02	REED, Wayne	0.00	Not Annexed	
030-23-0812-05.03	BLUETOP FARMS, INC.	0.52	Annexed R/W CTH HH	
030-23-0812-02	ZAKRZEWSKI, James & Delores	0.46	Annexed R/W CTH HH	
030-23-0812-01	ZAKRZEWSKI, James & Delores	0.14	Annexed R/W CTH HH	
030-23-0812-01.01	HINTZ T.	0.00	Not Annexed	
030-23-0801-16.01	ZAKRZEWSKI, James & Delores	37.07		
030-23-0801-15	BLUETOP FARMS, INC.	39.01	James Zakrzewski	
030-23-0801-14	BLUETOP FARMS, INC.	39.33	James Zakrzewski	
030-23-0801-09	BLUETOP FARMS, INC.	39.26	James Zakrzewski	
030-23-0801-12	BLUETOP FARMS, INC.	38.50	James Zakrzewski	
034-23-0907:08.02	HANS, Craig & Jenny	0.06	Annexed R/W CTH HH	
034-23-0907:08.01	LUTZ, Ronald	0.50	Annexed R/W CTH HH	
034-23-0906:26.03	BRENNAN Sarah & Linda	0.00	Not Annexed	
034-23-0906:26.02	BRITZ John & Ann	0.00	Not Annexed	
034-23-0907:07	LUTZ, Ronald	0.32	Annexed R/W CTH HH	
034-23-0906:27.01	KRUZITSKI Duane	0.00	Not Annexed	
034-23-0906:22.01	KRUZITSKI Evan	0.00	Not Annexed	
034-23-0906:08.01	MS&S ENTERPRISES	5.06	Myron Soik	
034-23-0906:08.04	MOCADLO, Bernard	40.72		
034-23-0906:07	MS&S ENTERPRISES	36.74	Myron Soik	
034-23-0906:06.03	LASECKI, Casimir & B.	0.00	Not Annexed	
034-23-0906:11.01A	ZURAWSKI, Alan & Deborah	0.00	Not Annexed	
034-23-0906:11.01B	ZURAWSKI, Aaron	0.00	Not Annexed	
034-23-0906:11.02	PICKARD, Matthew & Constance	0.00	Not Annexed	
034-23-0906:11.04	JANOWSKI, Casimir & M.	0.00	Not Annexed	
034-23-0906:11.05	JANOWSKI, Casimir & M.	0.00	Not Annexed	
034-23-0906:06.13	SCHOENHOFEN, Germaine	0.00	Not Annexed	
034-23-0906:11.06	ZOROMSKI, David & K.	0.00	Not Annexed	
034-23-0906:09.03	MS&S ENTERPRISES	1.21	Myron Soik	
034-23-0906:09.01	MS&S ENTERPRISES	5.61	Myron Soik	
034-23-0906:10	MS&S ENTERPRISES	40.19	Myron Soik	
034-23-0906:09.02	MOCADLO, Bernard	42.70		
034-23-0906:24	MS&S ENTERPRISES	49.12	Myron Soik	
034-23-0906:23	MS&S ENTERPRISES	40.19	Myron Soik	
034-23-0906:22.02	KRUZITSKI, Duane & Eileen	0.00	Not Annexed	
034-23-0906:22.03	KRUZITSKI, Duane	0.00	Not Annexed	
034-23-0906:26.01	MS&S ENTERPRISES	36.19	Myron Soik	
034-23-0906:25	MS&S ENTERPRISES	48.72	Myron Soik	
	Wisconsin Central Ltd. Ry. (CN)	15.95	Annexed RR R/W	
		779.45	Assessment acreage + R/W (as mapped)	
020=	Town of Hull	775.8	Surveyed Boundary	
030=	Town of Plover			
034=	Town of Stockton			
	=Petitioners			9/21/2012

**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE
OF THE CITY OF STEVENS POINT, WISCONSIN**

**[NORTH OF COUNTY ROAD HH, EAST OF BRILOWSKI ROAD/COUNTY ROAD R, SOUTH OF CANADIAN NATIONAL
RAILROAD RIGHT-OF-WAY, AND WEST OF BURBANK ROAD]**

The Common Council of the City of Stevens Point, Portage County, Wisconsin, do ordain as follows:

SECTION I: That the Zoning Ordinance of the Revised Municipal Code of the City of Stevens Point shall be amended by the classification of the following described territory as:

- Parcels known as Portage County Parcel ID's: 034230906:07, 034230906:10, 034230906:23, 034230906:25, 034230906:26.01, 030230801-14, 030230801-13, 030230801-09, 030230801-15, 030230801-12, and 030230801-16.01 shall be classified as M-1 "Light Industrial."

- Parcels known as Portage County Parcel ID's: 034230906:08.01, 034230906:09.01, 034230906:24, 034230906:09.03, 020230801-03.02, 020230801-01.04, 020230801-01.02, 020230801-04.02, 020230801-04.01, 034230906:08.04, 034230906:09.02, 020230801-05.02, 020230801-02.06, 020230801-02.02, and 020230801-03.01 shall be classified as M-2 "Heavy Industrial."

SECTION II: That this ordinance shall take effect upon annexation of the aforementioned lands into the City of Stevens Point, and upon passage and publication of this ordinance amendment.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: October 15, 2012
Adopted: October 15, 2012
Published: October 26, 2012



**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE
OF THE CITY OF STEVENS POINT, WISCONSIN**

The Common Council of the City of Stevens Point, Portage County, Wisconsin, do ordain as follows:

SECTION I: That Section 23.02(1)(e)(4) of the Revised Municipal Code of the City of Stevens Point be amended to read as follows:

- 4) Minimum Performance Standards for the "R-3" District
 - a) Sideyard setbacks for zero lot line developments (Conditional Use 3,F). The sideyard setback may be zero (0) for a single family unit on one side of the lot provided that the lot abutting the zero (0) sideyard setback is held under the same ownership at the time of initial building construction.

When the zero (0) foot setback provision is utilized, the setback must be zero. Setbacks greater than 0 feet and less than 12 feet are not permitted.
The opposite (to the zero setback) sideyard setback shall be a minimum of 12 feet.
Any sideyard setback abutting a lot under different ownership shall be a minimum of 12 feet.
 - b) The Plan Commission and Common Council reserve right to attach any additional conditions to zero lot line development as authorized under Sec. 23.01(16)3. Of the Zoning Ordinance.

“R-3” SINGLE AND TWO FAMILY RESIDENCE DISTRICT:

USE	LOT AREA AND DENSITY	LOT WIDTH	HEIGHT OF STRUCTURE	SIDE YARD	STREET SETBACK	REAR YARD	PARKING	AREA OF STRUCTURE	MIN. BLDG. WIDTH
Permitted Uses Single Family Dwellings	1 family/lot 1 unit/lot, provided lot is 8,000 sq. ft.	60 ft., 80 ft. For corner lots	Not over 35 ft. Nor over 2 ½ stories	Minimum of 7 ½' on each side for buildings not over 2 ½ stories	25 ft. On corner lots with 50' of frontage and less, street setback 25' and 20'	Not less than 20% of lot depth, but not less than 15 ft. And need not exceed 30 ft.	Per 23.01(14)'	900 sq. Ft.	18 ft.
Two Family Dwellings	2 attached units per lot provided lot is 15,000 sq. ft.	100' for new lots after 3/21/07							
Zero Lot Line - Common wall	1 family/lot 1 unit/lot provided lot is 7,000 sq. ft.	50'							
All other	8,000 sq. Ft.		35 ft.	15 ft.		30 ft.		0	

permitted uses									
Conditional Uses: Single Family Zero Lot Line Dwellings	1 family/lot 1 unit/lot provided lot is 7,000 sq. ft.	50 ft., 70 ft., for corner lots	Not over 35 ft. Nor over 2 ½ stories	Per. 23.02(e)4.a .		Not less than 20% of lot depth, but not less than 15 ft. And need not exceed 30 ft.			
All other conditional uses	As set by Plan Commission and City Council								

The Common Council may establish setback requirements for schools, churches, community and senior centers, and hospitals, less than the zoning district requirements. The Common Council may establish the setback based upon functional design of the proposed building setback of neighboring properties, impact on neighborhood open space, future road requirements, alternative structural designs, building facade, public input, as well as other factors. The school, church, community or senior center, and hospital setback is carried forward to higher zoning districts.

SECTION II: That this ordinance shall take effect upon passage and publication.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: October 15, 2012
Adopted: October 15, 2012
Published: October 19, 2012

**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE
OF THE CITY OF STEVENS POINT, WISCONSIN**

The Common Council of the City of Stevens Point, Portage County, Wisconsin, do ordain as follows:

SECTION I: That Section 23.01(14)(d)(4) of the Revised Municipal Code of the City of Stevens Point be amended to read as follows:

- 4) Medical
 - a. Medical or dental clinics - 1 space per 300 sq. ft.
 - b. Hospitals - 1 space per licensed patient bed.
 - c. Nursing homes - 1 space per 1.5 beds.

SECTION II: That this ordinance shall take effect upon passage and publication.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: October 15, 2012
Adopted: October 15, 2012
Published: October 19, 2012

**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE
OF THE CITY OF STEVENS POINT, WISCONSIN**

The Common Council of the City of Stevens Point, Portage County, Wisconsin, do ordain as follows:

SECTION I: That Section 23.02(4)(b) of the Revised Municipal Code of the City of Stevens Point be amended to read as follows:

b) "PD" Planned Development District

A Planned Development is a zoning district that allows for deviation from the standards of this zoning ordinance in exchange for higher quality development.

1) Components of PD Approval

A PD approval consists of two separate steps:

- a) Approval of a rezoning and concept plan by the Plan Commission and Common Council; and
- b) Approval of subsequent subdivision plats and site plans consistent with the PD concept plan.

2) When Allowed

- a) A PD is intended for projects that demonstrate a higher quality of site design that is more sensitive to the existing context, both built and natural, than is possible under other available zoning districts.
- b) All permitted and/or conditional uses found within the R-2, R-3, R-4, R-5, B-1, B-2, B-3, and B-4 zoning districts may be allowed as a permitted or conditional use.

3) Application and Fees

- a) A pre-application conference with the City Zoning Administrator (Administrator) is required.
- b) All applications for a PD shall be filed in writing with the Administrator.
- c) The application shall include the following additional materials:
 - 1) A narrative explaining and tabulating the land uses by net acre, number of dwelling units by housing type, residential density and square footage of non-residential uses per net acre, open space acreage, the relationship of the proposed development to existing development in the area and other related development features.
 - 2) A concept plan establishing the following aspects of the proposed PD:

- i) The location of all street and alley types, major utilities, access to existing streets, and conceptual drainage plan;
 - ii) The perimeter and block face length of all blocks;
 - iii) The layout and size of all lots with anticipated land use and building types; and
 - iv) The location and type of any open space.
 - 3) A specific list of all requested deviations from the provisions of this zoning ordinance.
 - d) The applicant may provide concurrent applications for site plan or subdivision review.
- 4) Rezoning and Concept Plan Review by Administrator
 - a) The Administrator may refer the application to other affected or interested agencies for review and comment.
 - b) The Administrator shall provide notice as set out in this zoning ordinance and/or Wisconsin Statutes.
 - c) The Administrator shall recommend approval, approval with conditions, or denial of the PD rezoning and concept plan.
- 5) Rezoning and Concept Plan Review by Planning Commission
 - a) Following notice and a public hearing as required in this zoning ordinance and/or Wisconsin Statutes, the Planning Commission shall recommend approval, approval with conditions, or denial of the PD rezoning and concept plan.
 - b) In recommending, the Planning Commission shall consider the recommendation of the Administrator, relevant comments of all interested parties and the review criteria below.
- 6) Public Hearing and Decision by Common Council
 - a) Following notice and a public hearing as required in this zoning ordinance and/or Wisconsin Statutes, the Common Council shall approve, approve with conditions, or deny the PD rezoning and concept plan.
 - b) In deciding, the Common Council shall consider the recommendations of the Administrator and Planning Commission, relevant comments of all interested parties and the review criteria below.
- 7) Review Criteria

The Common Council shall consider the following criteria in approving or denying a PD rezoning and concept plan:

- a) The proposed PD is consistent with the pertinent elements of the City of Stevens Point Comprehensive Plan and any other adopted plans;
- b) The proposed PD is consistent with the standards and uses of the context area within which it is located;
- c) The proposed PD meets the requirements of this zoning ordinance;
- d) The proposed PD will reinforce the existing or planned character of the neighborhood;
- e) The site is appropriate for the development allowed in the proposed PD;
- f) The PD demonstrates a higher quality of site design that is more sensitive to the existing context, both built and natural, than is possible under other available zoning districts.
- g) Public facilities and services including but not limited to schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities are adequate for the development allowed in the proposed PD; and
- h) The PD will not substantially or permanently injure the appropriate use of adjacent conforming properties.

8) Allowed Deviations

Unless otherwise expressly approved by the Common Council as part of the approved rezoning and concept plan, all planned developments shall be subject to all applicable standards of this zoning ordinance. In order to approve modifications of otherwise applicable standards, the Common Council must find that:

- a) Requested deviations from applicable building type standards, permitted uses, or other development standards that otherwise would apply are justified by the compensating benefits of the planned development; and
- b) The requested deviations do not detract from the established character or form of any surrounding conforming properties.

9) Action Following Approval

Approval of a PD rezoning and concept authorizes the submission of subdivision plats and site plans consistent with the PD approval.

10) Modification of Adopted Concept Plan

The Administrator is authorized to approve minor modifications to an approved concept plan. All modifications not listed as minor below shall be considered by the Common Council consistent with the original approval of the PD. The following modifications shall be considered minor:

- a) Up to a 10 percent increase or any decrease in gross floor area of a single building.
- b) Up to a 10 percent reduction or any increase in the approved setbacks from exterior property lines.
- c) Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

11) Effect of Denial

The denial of a PD application shall ban the subsequent application for the same or similar use for a period of 12 months.

12) Expiration

A PD rezoning does not expire. A PD concept plan expires after two years if no preliminary plat, site plan or building permit has been filed. A two year extension may be granted by the Common Council.

SECTION II: That this ordinance shall take effect upon passage and publication.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: October 15, 2012
Adopted: October 15, 2012
Published: October 19, 2012

ORDINANCE
Amending the Revised Municipal Code
of the City of Stevens Point, Wisconsin
Chapter 13 Ordinance – Water and Sewerage Systems

The Common Council for the City of Stevens Point, Portage County, Wisconsin do ordain as follows:

Section 1. That Section 13.17(2) of Chapter 13 of the Revised Municipal Code of the City of Stevens Point is hereby amended to read as follows:

Section 13.17(2) - Stormwater Utility Charges.

1) Definitions. As used in this ordinance, the following words and phrases shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

(a) Impervious area: Land area covered by buildings, pavement or other material that prevents storm water from penetrating the soil.

(b) Pervious area: All land area that is not impervious.

(c) Stormwater: Atmospheric precipitation, surface water or non-contact cooling water.

(d) Stormwater system: Public sewers, drains, ditches, retention ponds, dams, river impoundments and flood control facilities used for collection, transporting and treating of stormwater.

2) Stormwater Service Charges. All owners of real property in the City of Stevens Point shall be charged for the use of the City’s stormwater system based on the amount of stormwater and rate of flow of stormwater which is determined to be entering the stormwater system from the property. The impact of the stormwater from the property on the system shall be determined on the basis of the flat rates or the measurements contained in this ordinance.

3) Rate Schedule.

RATE SCHEDULE:

The rate to be applied per ERU (Equivalent Runoff Unit) in the rate schedule below is **\$59.08 / Year.**

One ERU is equivalent to 3,364 Sq. Ft.

RATE CLASS	NUMBER OF ERU’s	Annually	Quarterly
Single Family Residence	1	\$59.08	\$14.77
Duplex	1.6	\$94.52	\$23.63
Triplex	2.4	\$141.80	\$35.45
Commercial	Actual square footage		
Industrial	Actual square footage		
Public	Actual square footage		

CREDIT POLICY:

The purpose of the storm water credit policy is to encourage property owners to engage in activities that either 1) reduce storm water flow and/or 2) reduce the utility cost in providing proper management of storm water runoff and treatment.

The operation of the Storm Water Utility has fixed costs and variable costs. The fixed costs of the utility are non-eligible for credit. The variable costs are eligible for either a one-time credit or an on-going credit. The fixed and variable costs are as follows:

Fixed costs = 76% Variable costs = 24%

Because the percentage of the operation that is fixed versus variable can change over time, the fixed and variable percentages will be part of future rate adjustments. Customer charges and credits will be based on the most recently adopted values.

Residential Properties (Single Family, Duplex, Triplex) -

Rain Barrel & Rain Garden Installation – For residential properties there will be a one-time credit for the amount of the annual storm water fee for the installation of a rain barrel or a rain garden. The installations must meet the criteria provided upon applying for the credit through the utility office.

Riparian Properties – Properties that discharge directly to the Wisconsin River or Plover River without draining toward a facility maintained by the Storm Water Utility may be eligible for a riparian credit. The amount of the available credit will be calculated by prorating the total available credit by the amount (%) of the property that drains directly to one of the aforementioned water bodies. Credit eligibility will be calculated as part of the application process.

Non-Residential Properties (Commercial, Public, Industrial) –

Properties Exceeding Flow Control Requirements - This credit applies to all properties that provide privately constructed and maintained runoff flow control measures. The customer must submit documentation demonstrating that a management practice on their property exceeds the peak flow reduction criteria to the Department of Public Utilities. The amount of credit will be based on the prorated amount that the property is exceeding the requirements. (Example: If eligible levels of control reduce the flow by 50% beyond the minimum requirement, the eligible credit would be 50% of the variable costs associated with the utility bill (50% of 24%, or 12% of the total bill)). The amount of the credit will be based on the following minimum criteria:

1. Post-development flow must meet the minimum requirements defined in the DNR Administrative Code NR 152, and Municipal Ordinance Chapter 32.
2. Properties must reduce the flow from their property below the minimum flow control requirement for the 10-yr, 24-hour, SCS Type II distribution rainstorm of 4.0 inches in 24 hours. Pre-development conditions shall be calculated using Table 1 criteria in NR 152.

Riparian Properties – Properties that discharge directly to the Wisconsin River or Plover River without draining toward a facility maintained by the Storm Water Utility may be eligible for a riparian credit. The amount of the available credit will be calculated by prorating the total available credit by the amount (%) of the property that drains directly to one of the aforementioned water bodies. Credit eligibility will be calculated as part of the application process.

Note: Properties located on creeks, streams, and/or ditches not identified above are not eligible for riparian credit.

Note: Properties are not eligible for a credit for any best management practices (BMP's) that are not required by local, state, or federal regulations.

4) Property Affected. Except as provided in this section, all real property shall be subject to the stormwater service charges regardless of whether privately or publicly owned, with the exception of land used for highway purposes.

5) Billing. All stormwater utility assessments based on the above-rates shall be collected and billed with the sewer and water statement. A property owner aggrieved by the City Water and Sewerage of the basis for the stormwater service charges may appeal that determination to the Water and Sewerage Commission.

6) Use of Funds. All funds collected for stormwater service shall be placed in a separate account and shall be used solely for the construction, operation and maintenance of the stormwater system.

7) Effective Date. The schedule of rates shall be charged as of January 1, 2013 until otherwise amended by the Common Council of the City of Stevens Point.

Section 2. This ordinance shall take effect upon passage and publication.

Approved:

Andrew J. Halverson, Mayor

Attest:

John V. Moe, Clerk

Dated _____

Passed _____

Published _____

COMPTROLLER-TREASURER REPORT
for the period ending August 31, 2012

	Bal August 1, 2012	Receipts	Disbursements	Bal August 31, 2012
GENERAL OPERATING CASH	\$4,579,697.32	\$8,000,582.27	\$10,437,958.59	\$2,142,321.00
WATER & SEWER (CASH & INVEST)	\$7,375,579.66	\$718,001.17	\$715,899.43	\$7,377,681.40

INVESTMENTS	Bal August 1, 2012	TRANSFER IN	TRANSFER OUT	Bal. August 31,2012
GENERAL	\$26,614,284.95	\$0.00	\$6,000,000.00	\$20,614,284.95
SPECIAL REVENUE	\$701,306.84	\$0.00	\$0.00	\$701,306.84
DEBT SERVICE	\$106,941.76	\$0.00	\$0.00	\$106,941.76
CAPITAL PROJECTS	\$13,813,738.34	\$0.00	\$0.00	\$13,813,738.34
ENTERPRISE	\$1,035,618.62	\$0.00	\$0.00	\$1,035,618.62
TRUST	\$87,520.89	<u>\$0.00</u>	<u>\$0.00</u>	\$87,520.89
TOTALS	<u>\$42,359,411.40</u>	<u>\$0.00</u>	<u>\$6,000,000.00</u>	<u>\$36,359,411.40</u>

EXPENDITURES:	BUDGET	YTD	%	REVENUES	BUDGET	YTD	%
GENERAL GOVT	\$2,601,128.20	\$1,505,796.58	57.89%	GENERAL	\$21,937,007.00	\$17,060,087.43	77.77%
EMERGENCY GOVT	\$1,133,797.00	\$726,141.82	64.05%	TRANSIT	\$2,193,539.00	\$1,626,068.42	74.13%
POLICE	\$4,859,458.00	\$3,412,583.37	70.23%	AIRPORT	\$469,183.00	\$345,660.27	73.67%
FIRE	\$4,794,475.00	\$3,111,959.58	64.91%				
PUBLIC WORKS	\$5,791,871.00	\$3,684,718.91	63.62%				
PARK & REC	\$2,260,870.00	\$1,501,197.09	66.40%				
CAPITAL PROJECTS	\$459,108.00	\$193,509.86	42.15%				
TRANSIT	\$2,193,539.00	\$2,621,486.47	119.51%				
AIRPORT	\$469,183.00	\$389,889.25	83.10%				
DEBT SERVICE	\$4,475,293.00	\$3,586,456.82	80.14%				

October 9, 2012

Members of the Common Council
City of Stevens Point, Wisconsin

The listed individuals below have expressed interest in becoming Election Officials (poll workers). I am submitting their names to you for consideration to be added to the list of workers for this election cycle.

Sincerely,

Andrew Halverson
Mayor

<u>Name</u>	<u>Address</u>
Sue Hall	200 Pine Bluff Rd
Joanette Suchon	2111 Minnesota Ave
Benedict Pezewski	2609 Bush Ct #4
Bruce Benson Jr.	501 Reserve St #342
Carmen Lindsley	201 Reserve St
Gladys Glodoski	608 Franklin St
Janet Malone	609 Wilshare Blvd
Megan Koelsch	433 Isadore St
Valerie Johnson	2600 Sunset Blvd #14

RESOLUTION

[927-933 MAIN STREET]

BE IT RESOLVED by the Common Council of the City of Stevens Point, Portage County, Wisconsin, that based upon the application and after reviewing the Plan Commission record and hearing the testimony of interested parties, the Common Council determines that all conditions required have been met, the property located at **927-933 Main Street (Parcel ID 2408-32-2018-03)**, E 46' OF LOT 3 BLK 5 STRONG ELLIS & OTHERS ADD S32 T24 R8 671304-CERT 766122, Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of increasing the occupancy from 8 to 12 as shown on the attached plans. The Conditional Use Permit is subject to the following conditions:

1. Applicant must secure the appropriate onsite parking spaces.
2. Shall parking ever become unavailable, the conditional use must cease within 60 days, or another parking location must be approved.
3. Applicant must secure a multi-family license prior to issuance of an occupancy license.
4. Accurate floor plan of the second story shall be submitted by an architect and or engineer to be reviewed by City staff prior to issuance of occupancy license.
5. All building codes shall be met prior to issuance of an occupancy license.
6. Any interior or exterior work for the apartments shall be completed within one (1) year after final approval, and may be granted a six month extension with approval by staff.
7. Exterior improvements must be reviewed and approved by the Historic Preservation / Design Review Commission (windows, trim, etc).
8. Dumpsters and/or refuse containers shall be screened from view.

Such approval constitutes a Conditional Use under the City's ordinances.

Approved: _____

Andrew J. Halverson, Mayor

Attest: _____

John Moe, City Clerk

Dated: October 15, 2012

Adopted: October 15, 2012

Drafted by: Michael Ostrowski
Return to: City Clerk