

**City of Stevens Point  
SPECIAL COMMON COUNCIL**

**Lincoln Center  
1519 Water Street**

**August 12, 2013  
7:00 P.M.**

1. Roll Call.
2. Consideration and possible action on the actions taken at the City Plan Commission meeting of August 5, 2013.
3. Consideration and possible action on Agreement Between Portage County and the City of Stevens Point to Deed Land for Municipal Road Purposes.
4. Consideration and possible action on a Resolution -- Naming a Street -- E. M. Copps Drive.
5. Consideration and possible action on the actions taken at the Special Public Protection Committee meeting of August 6, 2013.
6. Establishing Expectations/Goals for the Portage County Business Council relating to Economic Development.
7. Adjournment.

Any person who has special needs while attending this meeting or needs agenda materials for this meeting should contact the City Clerk as soon as possible to ensure that 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.



REPORT OF CITY PLAN COMMISSION

Monday, August 5, 2013 – 6:00 PM  
Lincoln Center – 1519 Water Street

PRESENT: Mayor Andrew Halverson, Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Dave Cooper, and Commissioner Garry Curless (Commissioner Anna Haines excused).

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, Attorney Beveridge, Comptroller Ladick, Alderperson Doxtator, Alderperson Suomi, Alderperson M. Stroik, Alderperson R. Stroik, Alderperson Phillips, Guy Stewart, John Kraft, Chris Jones, Marcin Mrozek, Jim Lucas, Bev Mancl, Mark Boeck, Richard Bierman, Reid Rocheleau, Travis Kornowski, Sarah Wallace, Gene Kemmeter, Leonard Moadlo, Rosemary Gagas, and Larry Gagas.

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1. Report of the July 1, 2013 Plan Commission meeting.
2. Request from Brad Wolf, representing the property owner, for a conditional use permit for the purposes of constructing an attached garage using the “R-TND” Traditional Neighborhood Development Overlay District minimum side-yard setback requirements at **2024 Wyatt Ave (Parcel ID 2408-32-4046-14)**.
3. Request from Beverly Mancl for a conditional use permit for the purpose of constructing an 8-unit townhouse style apartment complex, at the southeast corner of **Echo Dells Avenue and Riverview Avenue (Parcel ID 2308-05-4300-36)**, as well as a modification to the parking lot and landscaping standards, relating to a reduced parking lot setback and location of the parking lot in a street yard.
4. Request from Richard Bierman, representing the property owner, for a conditional use permit for the purpose of constructing a car dealership and service facility within the wellhead protection district zone B at **3700 Northpoint Drive (Parcel ID 2408-27-2001-05)**.
5. Request from the City of Stevens Point to acquire approximately 1.320 acres of **Parcel ID 2308-01-2200-05** (Portage County property) for the extension of E.M. Copsps Drive to the east.
6. Request from the City of Stevens Point to acquire approximately 37.01 acres (Moadlo Property) within the **northwest corner of the East Park Commerce Center (Parcel ID 2308-01-2100-01)** to be used for right-of-way and future development sites.
7. Review and recommendation on transferring and/or selling approximately 27 acres of property located in the **northwest corner of the East Park Commerce Center (portion of Parcel ID 2308-01-2100-01)**, to Service Cold Storage, LLC.
8. Review and recommendation on extending and naming E.M. Copsps Drive, east of Week Street to the eastern edge of Parcel ID 2308-01-2100-01.
9. Adjourn.

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1. Report of the July 1, 2013 Plan Commission meeting.

**Motion by Alderperson Moore to approve the report of the July 1, 2013 meeting; seconded by Commissioner Cooper. Motion carried 5-0.**

2. Request from Brad Wolf, representing the property owner, for a conditional use permit for the purposes of constructing an attached garage using the “R-TND” Traditional Neighborhood Development Overlay District minimum side-yard setback requirements at 2024 Wyatt Ave (Parcel ID 2408-32-4046-14).

**Motion by Mayor Halverson to approve the conditional use permit for the purposes of construction an attached garage using the “R-TND” Traditional Neighborhood Development Overlay District minimum side-yard setback requirements at 2024 Wyatt Ave (Parcel ID 2408-32-4046-14) with the following conditions:**

- All necessary building permits shall be obtained for the proposed work.
- The applicant shall not widen the curb cut and driveway within the public right-of-way without the approval of all applicable departments.
- The driveway shall not be wider than 20 feet.
- Gutters shall be installed on the entire north side of the structure and directed appropriately to prevent drainage onto adjacent properties.
- The materials of the new garage shall be compatible, to the extent possible, the materials on the main home.
- All other applicable ordinance requirements shall be met.

**seconded by Alderperson Moore. Motion carried 5-0.**

3. Request from Beverly Mancl for a conditional use permit for the purpose of constructing an 8-unit townhouse style apartment complex, at the southeast corner of Echo Dells Avenue and Riverview Avenue (Parcel ID 2308-05-4300-36), as well as a modification to the parking lot and landscaping standards, relating to a reduced parking lot setback and location of the parking lot in a street yard.

**Motion by Commissioner Patton to approve the conditional use permit for the purpose of constructing an 8-unit townhouse style apartment complex, at the southeast corner of Echo Dells Avenue and Riverview Avenue (Parcel ID 2308-05-4300-36), as well as a modification to the parking lot and landscaping standards, relating to a reduced parking lot setback and location of the parking lot in a street yard with the following conditions:**

- If sidewalks were ever to be installed by the City or property owners on directly adjacent properties, the applicant or owners of the property in question shall install sidewalks at his/her own expense within one year.
- Material used for the refuse enclosure shall be constructed out of finished wood, or masonry materials.
- Additional vegetative landscaping to match the proposed shall be placed along the north side of the building facing Riverview Avenue.
- The maximum number of units shall be 8, within a maximum number of 16 bedrooms.
- Snow shall be removed from the site, or stored in a location that it will not negatively impact adjacent properties.
- A stormwater plan will need to be reviewed and approved by the Department of Public Works.
- A minimum of 25% of the façade shall be covered with masonry or decorative brick. EIFS may be considered to satisfy this requirement.
- Staff shall have the authority to approve minor changes such as landscaping or drainage.
- Landscaping that screens parking, shall be allowed to encroach into the public right-of-way with approval from the appropriate staff. The owner shall manage and maintain the landscaping within the right-of-way and if ever the City were to widen the street or install sidewalks, compensation for landscaping would not be provided. Furthermore, the owner shall remove landscaping at their cost if the above were to occur.

- **Supplementary landscape planters shall be installed along the westward facing building façade near entryways.**
- **The applicant shall pay the required park fee per unit to the City.**

**seconded by Commissioner Curless. Motion carried 5-0.**

4. Request from Richard Bierman, representing the property owner, for a conditional use permit for the purpose of constructing a car dealership and service facility within the wellhead protection district zone B at 3700 Northpoint Drive (Parcel ID 2408-27-2001-05).

**Motion by Commissioner Patton to approve the conditional use permit for the purpose of constructing a car dealership and service facility within the wellhead protection district zone B at 3700 Northpoint Drive (Parcel ID 2408-27-2001-05) with the following conditions:**

- **A drainage plan shall be submitted to the Department of Public Works and reviewed by all appropriate staff, meeting all stormwater requirements as per Chapter 31 of the Revised Municipal Code.**
- **All above ground chemical storage tanks shall be a minimum double walled, unless an equal or greater protection mechanism exists.**
- **No underground tanks shall be installed.**
- **Storage of all chemicals shall occur within 100% containment area such as a concrete curb basin or tub to provide a second/third containment measure against leaks or spills.**
- **Cracks and joints that open on dispensing areas or catch basins, if any, shall be filled and fixed immediately to avoid the infiltration of hazardous chemicals.**
- **Catch basins shall be installed around every fill point to catch product that may drip from the loading hose during the product transfer process.**
- **A spill prevention, control, and countermeasure plan shall be in place prior to the operation of the facility.**
- **Monitoring wells shall be installed throughout the property at locations determined by the Director of Water and the City Engineer. Testing shall be done quarterly. City staff shall be given unrestricted access for compliance purposes. Test shall be completed annually, and the results shall be supplied to the Director of Utilities.**
- **The City reserves the right to establish new conditions for the purpose of protecting the groundwater supply. Furthermore, the department of Community Development and Water Department shall be notified if changes occur to chemicals, quantities, storage or service at the facility or on the property.**
- **All costs associated with the conditions within this resolution shall be at the expense of the operator and/or owner. All required reports relating to sampling, analysis, and/or testing shall be provided to the City upon completion of such sampling, analysis, and/or testing.**
- **If any equal or superior alternative exists over any of the conditions, as determined by the Director of Water, the state, and the Director of Community Development, City of Stevens Point personnel shall have the ability to modify such condition(s).**
- **The conditional use permit shall expire within two years after final occupancy date.**

**seconded by Commissioner Cooper.**

**Motion carried 5-0.**

5. Request from the City of Stevens Point to acquire approximately 1.320 acres of Parcel ID 2308-01-2200-05 (Portage County property) for the extension of E.M. Copps Drive to the east.
6. Request from the City of Stevens Point to acquire approximately 37.01 acres (Mocadlo Property) within the northwest corner of the East Park Commerce Center (Parcel ID 2308-01-2100-01) to be used for right-of-way and future development sites.
7. Review and recommendation on transferring and/or selling approximately 27 acres of property located in the northwest corner of the East Park Commerce Center (portion of Parcel ID 2308-01-2100-01), to Service Cold Storage, LLC.
8. Review and recommendation on extending and naming E.M. Copps Drive, east of Week Street to the eastern edge of Parcel ID 2308-01-2100-01.

**Motion by Alderperson Moore to approve the following:**

- **Acquiring approximately 1.320 acres of Parcel ID 2308-01-2200-05 (Portage County Property for the extension of E.M. Copps Drive to the east.**
- **Acquiring approximately 37.01 acres (Mocadlo Property) within the northwest corner of the East Park Commerce Center (Parcel ID 2308-01-2100-01) to be used for right-of-way and future development sites.**
- **Transferring approximately 27 acres of property located in the northwest corner of the East Park Commerce Center (portion of Parcel ID 2308-01-2100-01), to Service Cold Storage, LLC.**
- **Extending and naming E.M. Copps Drive, east of Week Street to the eastern edge of Parcel ID 2308-01-2100-01.**

**seconded by Mayor Halverson.**

**Motion Carried 5-0**

9. Adjourn.

**Meeting Adjourned 6:26 PM.**

AGREEMENT BETWEEN PORTAGE COUNTY AND  
THE CITY OF STEVENS POINT TO  
DEED LAND FOR MUNICIPAL ROAD PURPOSES

This agreement is made by and between Portage County, subsequently referred to as “County” and the City of Stevens Point, subsequently referred to as “City.”

RECITALS

1. The County owns certain property in the Portage County Business Park to the East of County Trunk Highway R and East of E.M. Copps Drive.
2. The City desires to construct and maintain a municipal roadway which extends E.M. Copps Drive to the East over property owned by the County as set forth in the Attached Exhibit A and legally described in the attached Exhibit B for the purposes of providing access to the City’s East Park Commerce Center industrial park.
3. This improvement is in the public interest and furthers the public purpose of providing an efficient transportation network.
4. Wisconsin law encourages and approves inter-governmental agreements. Sec. 66.0301, Wis. Stats.

In consideration of the matters described above, the parties agree as follows:

AGREEMENT

1. Certified Survey Map. The City will provide and record at its sole cost and expense a Certified Survey Map (CSM) of the land subject to conveyance from the County for the municipal road over the land currently owned by the County as set forth in this agreement and attachments A and B. The City will provide to the County Planning and Zoning Department a draft of the CSM for review and approval prior to the City recording the CSM with the Register of Deeds. The City will then provide a recorded copy of the CSM to the Planning and Zoning Department and the Corporation Counsel Office.
2. County’s Grant of Land to the City. Strictly subject to the terms and conditions set forth herein, the County will grant and deed to the City for no purchase price the land designated in the recorded CSM consisting of the land in attachments A and B, which grant is legally permissible under sec. 59.52(6)(c), Wis. Stats. The City shall be responsible to pay for and record the Deed from the County to the City.
3. City Shall Pay All Construction and Maintenance Costs. All costs and legal responsibility and liability for constructing and maintaining the municipal road on

the land in the CSM shall be borne by solely and exclusively by the City and none shall be borne by the County.

4. Drainage. County grants limited authority and license for the City to utilize the retention pond on County owned property located East of County Trunk Highway R, North of the existing E.M. Copps Drive, and West of Week Street for drainage purposes of the municipal road extension of E.M. Copps Drive as set forth in this agreement. The County also authorizes the City to utilize the same retention pond for drainage purposes for a limited distance of extension beyond county property as set forth and described in Exhibits C and D. The foregoing are strictly subject to the City complying with sec. 88.87, Wis. Stats., providing engineering documents confirming that the existing pond has sufficient capacity for drainage from the new road, and strictly limited to the road set forth in this paragraph 4, but not for any further road extension/construction beyond that described in this paragraph 4.
5. Hold Harmless. The City shall indemnify, save, and hold harmless the County for any and all claims, damages, liens, suits, losses, expenses including attorney's fees, and costs of any sort that may arise out of, result from, or otherwise relate to this agreement, the land being conveyed to the City, and the construction, maintenance, and ownership of the municipal road.
6. Assignment. No party may assign its rights under this agreement or any of its rights or duties without the consent of the other party.
7. Prohibition of Discrimination. The parties hereby agree to specifically comply with all state, federal, and local laws prohibiting discrimination by reason of race, color, religion, sex or national origin during the terms of this contract.
8. Approval. Each party has read this agreement and certifies that the official executing the agreement has lawful authority and formal approval to bind the party.
9. Binding Effect. This agreement shall become effective on the latest date of execution. The signature of each of the parties to this agreement shall bind them to comply with all terms and conditions expressed herein.
10. Entire Agreement. This instrument contains the entire agreement between the parties, and no statements, promises, or inducements made by any party or agent of any party that are not contained in this written contract shall be valid or binding.
11. Modification. This agreement may not be enlarged, modified, or altered unless it is in writing and signed by each party after formal approval thereof.

12. Prevailing Wage. The City shall abide by the State of Wisconsin, Department of Workforce Development prevailing wage law requirements under sec. 66.0903, Wis. Stats., and Wis. Admin. Code ch. DWD 290. If applicable, the City shall include language in bid notices that the projects are subject to the prevailing wage laws and incorporate the prevailing wage rate determination for the projects into the contracts. If applicable, no local government party hereto will authorize final payment on a contract until it receives an affidavit from the contractor stating that the contractor has fully complied with the prevailing wage law.
13. Compliance. The City shall abide in all aspects with state, federal, and local laws, rules, and regulations which concern the construction and improvement of roadways.
14. Intergovernmental Agreement. This agreement is an official intergovernmental contract authorized under sec. 66.0301, Wis. Stats.
15. Governing Law. This agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Wisconsin.

In witness of the above, each party to this Agreement has caused it to be executed at the date indicated below.

FOR PORTAGE COUNTY

\_\_\_\_\_  
Patty Dreier, County Executive

Dated: August \_\_\_, 2013.

FOR THE CITY OF STEVENS POINT

\_\_\_\_\_  
Andrew Halverson, Mayor

Dated: August \_\_\_, 2013.



EXHIBIT B

LEGAL DESCRIPTION  
COUNTY GRANT OF PROPERTY FOR  
EXTENSION OF E.M COPPS DRIVE

A parcel of land located in the Fractional Northwest Quarter of the Northwest Quarter of Section 1, Township 23 North, Range 8 East, City of Stevens Point, Portage County described as follows:

Commencing at the northwest corner of said Section 1; thence South 01 degree 53 minutes 26 seconds East along the west line of said fractional Northwest Quarter of the Northwest Quarter 1,564.06 feet to the south line of said fractional quarter section; thence North 87 degrees 06 minutes 16 seconds East 735.29 feet to the east right of way line of Week Street; thence North 01 degree 53 minutes 22 seconds West along said east right of way line 262.73 feet to the point of beginning (P.O.B.); thence continuing North 01 degree 53 minutes 22 seconds West 100.00 feet; thence North 88 degrees 08 minutes 17 seconds East 575.38 feet to its intersection with the east line of said fractional quarter section; thence South 01 degree 28 minutes 33 seconds East along said east line 100.00 feet; thence South 88 degrees 08 minutes 17 seconds West 574.66 feet to the west right of way line of Week Street and the point of beginning and there terminating.

Said parcel contain 1.320 acres.

J. Hild, PLS  
City Engineering Dept.  
August 1, 2013



## EXHIBIT D

### LEGAL DESCRIPTION OF PROPERTY AUTHORIZED FOR DRAINAGE PURPOSES FOR EXTENSION OF E.M COPPS DRIVE

A 100 foot wide public street located in the Fractional Northwest Quarter of the Northwest Quarter and the Fractional Northeast Quarter of the Northwest Quarter of Section 1, Township 23 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin and more specifically described as follows and as shown on attached Exhibit 'C':

Commencing at the north quarter corner of said Section 1; thence South 01 degree 03 minutes 04 seconds East along the east line of said Fractional Northeast Quarter of the Northwest Quarter 1,118.87 feet to the point of beginning (P.O.B.); thence continuing South 01 degree 03 minutes 04 seconds East 100.01 feet; thence South 88 degrees 08 minutes 17 seconds West 1,309.75 feet to its intersection with the west line of said Fractional Northeast Quarter of the Northwest Quarter; thence continuing South 88 degree 08 minutes 17 seconds West 574.66 feet to the east right of way line of Week Street; thence North 01 degree 53 minutes 22 seconds West along said east right of way line of Week Street 100.00 feet; thence North 88 degrees 08 minutes 17 seconds East 575.38 feet to its intersection with the west line of said Fractional Northeast Quarter of the Northwest Quarter; thence continuing North 88 degrees 08 minutes 17 seconds East 1,310.49 feet to the east line of said Fractional Northeast Quarter of the Northwest Quarter and the point of beginning and there terminating.

**RESOLUTION NAMING A STREET**

**RESOLVED** by the Common Council of the City of Stevens Point, Wisconsin that the following described street be known as **“E.M. Copps Drive”**:

A 100 foot wide public street located in the Fractional Northwest Quarter of the Northwest Quarter and the Fractional Northeast Quarter of the Northwest Quarter of Section 1, Township 23 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin and more specifically described as follows and as shown on attached Exhibit ‘A’:

Commencing at the north quarter corner of said Section 1; thence South 01 degree 03 minutes 04 seconds East along the east line of said Fractional Northeast Quarter of the Northwest Quarter 1,118.87 feet to the point of beginning (P.O.B.); thence continuing South 01 degree 03 minutes 04 seconds East 100.01 feet; thence South 88 degrees 08 minutes 17 seconds West 1,309.75 feet to its intersection with the west line of said Fractional Northeast Quarter of the Northwest Quarter; thence continuing South 88 degree 08 minutes 17 seconds West 574.66 feet to the east right of way line of Week Street; thence North 01 degree 53 minutes 22 seconds West along said east right of way line of Week Street 100.00 feet; thence North 88 degrees 08 minutes 17 seconds East 575.38 feet to its intersection with the west line of said Fractional Northeast Quarter of the Northwest Quarter; thence continuing North 88 degrees 08 minutes 17 seconds East 1,310.49 feet to the east line of said Fractional Northeast Quarter of the Northwest Quarter and the point of beginning and there terminating.

**BE IT FURTHER RESOLVED** that a copy of this resolution and exhibit be recorded in the Office of the Register of Deeds.

APPROVED: \_\_\_\_\_  
Andrew J. Halverson, Mayor

ATTEST: \_\_\_\_\_  
John Moe, City Clerk

Dated:  
Adopted:

**SPECIAL PUBLIC PROTECTION COMMITTEE**  
**Tuesday, August 6, 2013 – 5:56 P.M.**  
**Lincoln Center, 1519 Water Street**

**Present:** Alderpersons: R. Stroik, Wiza, M. Stroik, Trzebiatowski (arrived at 5:58 p.m.)

**Excused:** Alderperson Suomi

**Also**

**Present:** Mayor Halverson; City Attorney Beveridge; C/T Ladick; Alderpersons Doxtator and Patton; Director Ostrowski; Chief Ruder; Asst. Chief Skibba; Asst. Chief Zenner; Gene Kemmeter – Gazette; Chris Jones and Brian Kowalski – Journal; Brandi Makuski – City Times

**1. License List:**

- A. Temporary Class “B” / “Class B” Licenses (Picnic): St. Stanislaus Holy Name Society, 838 Fremont Street, Stevens Point for St. Stanislaus Holy Name Steak Feed, on August 13, 2013 at Bukolt Park Lodge. Licensed operator on the premise: James Kropidlowski. (Beer Only)**

Ald. Wiza moved, Ald. R. Stroik seconded, to approve the temporary Class “B” / “Class B” picnic license for St. Stanislaus Holy Name Society for their Holy Name Steak Feed on August 13, 2013 at Bukolt Park Lodge with licensed operator on the premise being James Kropidlowski.

Call for the vote: Ayes, all; nays, none; motion carried.

**2. Request to Hold Event / Street Closings: Point Tap Festival – Out-door Jam Session on August 9, 2013 from 7-9 p.m., at the Downtown Public Square.**

Ald. Patton asked why this item is on the agenda.

Ald. R. Stroik stated this is a new event.

Ald. Wiza asked why the request was not received sooner.

Jeannie Hill, event organizer, said this is the fourth year for this event. She said the location used last year was too small so they are now asking permission to use the Downtown Public Square for this year’s event.

Ald. R. Stroik asked when Ms. Hill contacted the City about holding this event.

Ms. Hill replied it was relatively short order.

Ald. R. Stroik noted there will not be any street closures for this event.

Ald. Wiza clarified that there will not be any street closures or closing of any parking stalls.

Ald. R. Stroik stated that is correct.

Ald. Wiza asked if the fountain will need to be shut off during this event.

Ms. Hill responded no.

Ald. Wiza **moved**, Ald. M. Stroik seconded, approval of the event for the Point Tap Festival – Out-door Jam Session on Friday, August 9, 2013 from 7:00 p.m. to 9:00 p.m.

Call for the vote: Ayes, all; nays, none; motion carried.

### **3. Adjournment.**

Adjournment at 6:02 p.m.