City of Stevens Point
REGULAR COUNCIL MEETING

Council Chambers **December 16, 2013**
County-City Building **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 Regular Common Council meeting of November 18 and the Special Common Council meetings of November 18 and December 9, 2013.

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.

Consideration and Possible Action on the Following:

6. Renaming of the Stevens Point Municipal Airport to "Stevens Point Municipal Airport/Mattson Field."

7. Minutes and actions of the Plan Commission meeting of December 2, 2013.

8. Public Hearing –Amending Building and Premises Maintenance and Occupancy – adjust parking and loading standards to be consistent with the Zoning Code (Sections 21.03(13) and 21.08(1)(b)of the RMC).

9. Ordinance Amendment on the above.

10. Public Hearing - Amending the Zoning Code – adjust parking and loading standards, along with related definitions (sections 23.01(14), 23.01(15) and 23.04 of the RMC).

11. Ordinance Amendment on the above.

12. Public Hearing – Amending the Zoning Code – allow adjustments to be made to conditional use standards relating to landscaping with the recommendation of the City Forester (Section 23.01(16)(c)(14) of the RMC).

13. Ordinance Amendment on the above.

14. Public Hearing – Conditional Use – permit to allow four unrelated persons in a single dwelling at 2316 Main Street (Parcel ID 2408-33-2016-08).

15. Resolution on the above.

16. Public Hearing – Conditional Use – permit to construct an approximate 40-unit apartment building, using the "B-TID5" Tax Incremental District 5 standards, at 209 Division Street (Parcel ID 2408-29-4002-03).

17. Resolution on the above.

18. Minutes and actions of the Personnel Committee meeting of December 9, 2013.

19. Minutes and actions of the Public Protection Committee meeting of December 9, 2013.

20. Ordinance Amendment – Polling Place Change in District #11 – Move from Pacelli High School, 1301 Maria Dr. to the Stevens Point Area Convention & Visitors Bureau, 340 Division St. North (Sect. 15.03(11) of the RMC).

21. Minutes and actions of the Finance Committee meeting of December 9 and the minutes of the Special Finance Committee meeting of November 18, 2013.

22. Authorizing the Execution of Development Agreement with CCFS Group, LLC.

23. Minutes and actions of the Board of Public Works meeting of December 9, 2013.

24. Minutes and actions of the Board of Water & Sewerage Commissioners meeting of December 9, 2013.

25. Minutes and actions of the Police and Fire Commission meeting of December 3, 2013.

26. Minutes and actions of the Board of Park Commissioners meeting of December 4, 2013.

27. Statutory Monthly Financial Report of the Comptroller-Treasurer.

28. Appointment of Election Officials for the 2014-2015 Election Cycle.

29. Public Hearing – Dissolving the Community Development Authority of the City of Stevens Point, which is created under Section 66.1335 of the Wisconsin Statutes – Creating a housing authority under Section 66.1201 of the Wisconsin Statutes – Creating a redevelopment authority under Section 66.1333 of the Wisconsin Statutes.

30. Resolution – Dissolving the Community Development Authority and creating the Housing Authority of the City of Stevens Point.

31. Resolution – Directing the Mayor to appoint seven residents to serve as commissioners of the Redevelopment Authority of the City of Stevens Point.

32. Ordinance Amendment – Officials, Boards, Employees -- Repealing the Community Development Authority (section 3.19), Repealing the Housing Advisory Committee (section 3.21), Creating a Redevelopment Authority (section 3.51), and Creating a Housing Authority (section 3.52).

33. Mayoral Appointments:
    Redevelopment Authority
    Housing Authority

34. 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.

City of Stevens Point
COMMON COUNCIL MEETING

Council Chambers **November 18, 2013**
County-City Building **7:00 P.M.**

Mayor Andrew J. Halverson, presiding

Roll Call: Ald. Doxtator, Suomi, O'Meara, M. Stroik, Slowinski, Trzebiatowski, Patton, Philips, Moore
Excused: Ald. Wiza, R. Stroik

Also Present: City Atty. Beveridge, Clerk Moe, C/T Ladick, Directors Schatschneider, Lemke, Schrader, Ostrowski, Emergency Mgt. Director McGinty, Police Chief Ruder, Fire Chief Kujawa, Human Resources Manager Jakusz, Chris Jones-Stevens Point Journal, Nathanael Enwald-Portage County Gazette, Brandi Makuski-Stevens Point City Times

2. Salute to the Flag and Mayor's opening remarks.

   Mayor Halverson encouraged members of the community to attend the Holiday Parade and lighting of the tree.

3. Consideration and possible action of the minutes of the Regular Common Council meeting of October 21, 2013.

   Ald. Moore **moved,** Ald. Trzebiatowski seconded to approve the minutes of the Regular Common Council meeting of October 21, 2013.

   Roll Call: Ayes: All.
   Nays: None. Motion carried.

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.

   Mary Ellen Pollock, 1233 Ridge Road, gave an update on the Fox Theatre effort for re-opening. She said weather permitting, the doors will be painted. The new name is, "The Fox on Main" .

   Mary Pichelmann, 1300 Briggs, spoke regarding second hand smoke and its effects.

Mackenzie Kinney, 1300 Briggs, spoke regarding her concerns on living conditions at the Hi-Rise.

Mayor Halverson added the issue was placed on the CDA agenda, which is the body that has authority over the public housing units and not the Council. He said there is course of action in place.

Barb Jacob, 1616 Depot Street, expressed disappointment for the lack of public input on the pay plan.

Bill Schierl, 109 County Road E South, spoke regarding the approval of funding $5,000 for The Fox on Main structural analysis and welcomed questions on the matter.

Diane Brekke, 1300 Briggs, spoke regarding her disappointment on the Hi-Rise still not being smoke free.

Bob Fisch, 1033 Smith Street, addressed the benefits biking has brought into the community.

Ald. Suomi announced she will be hosting a town hall meeting at the Parks and Rec Building on Tuesday, December 10 at 6 p.m. with topics of discussion being parking in and around the university and surrounding neighborhoods.

Ald. Trzebiatowski voiced disappointment on the presentation of the proposed city budget which was not televised. He requested it be televised in the future.

6. Minutes and actions of the Plan Commission meeting of November 4, 2013.

   Ald. Moore **moved,** Ald. M. Stroik seconded to approve the Minutes and actions of the Plan Commission meeting of November 4, 2013.

   Roll Call: Ayes: All.
   Nays: None. Motion carried.

7. Public Hearing – Conditional Use Amendment – 4401-4501 Highway 66 – City of Stevens Point Municipal Airport – Request of Matt Rettler to Construct an approximate 4,320 square foot airplane hangar**.**

   As no one wished to speak, Mayor Halverson declared the public hearing closed.

8. Resolution on the above.

   Ald. Patton **moved,** Ald. O'Meara seconded to approve the resolution.

   Roll Call: Ayes: Ald. Moore, Phillips, Patton, Trzebiatowski, Slowinski, M. Stroik, O'Meara, Suomi, Doxtator
   Nays: None. Motion carried.
   Excused: Ald. R. Stroik, Wiza

9. Minutes and actions of the Public Protection Committee meeting of November 11 and the minutes of the Special Public Protection Committee meeting of October 21, 2013.

   Ald. Suomi **moved,** Ald. Doxtator seconded to approve the Minutes and actions of the Public Protection Committee meeting of November 11 and the minutes of the Special Public Protection Committee meeting of October 21, 2013.

   Roll Call: Ayes: All.
   Nays: None. Motion carried.

10. Ordinance – Peace and Offenses – Chronic Nuisance (Section 24.51).

    Barb Jacob, 1616 Depot Street, said the ordinance could be good for landlords and a useful tool for disruptive tenants. She encouraged conversations with the police department to implement ideas.

    Don Keck, 2130 Wisconsin Avenue, Plover is concerned about tenants having parties and the landlords becoming financially liable for tenants' actions despite the attempts by the landlord to cease the parties. He further stated the ordinance will stay in place but the officials enforcing it will not and there may be different points of view in the future.

    Rich Sommer, 4224 Janick Circle, said the ordinance needs more thought, is confusing and should not be supported.

    Paul Wachowiak, 1620 Meadow View Lane, encouraged more thought on the ordinance such as basing it on enforcement actions.

    David James, 1326 High Ridge Road, said he feels progress was made with some re-drafting of the ordinance; however, there are still some issues from a constitutional law perspective with some of the discretion that is granted in the ordinance. He offered suggestions.

    Henry Korger, 3200 Water Street #2, encouraged postponing passing the ordinance to take some time to review the issues at hand with members of the Apartment Association to get their input.

    Ald. Patton said the fine should go on the tenants and not the landlords.

    Ald. Trzebiatowski also said the responsibility should be put on the violator.

    Ald. Trzebiatowski **moved,** Ald. Moore seconded, to deny the ordinance.

    Ald. Moore said he has had a lot of negative feedback on this issue and is concerned it may open the City up for a lawsuit the way it is structured.

    Ald. Suomi asked the City Attorney when an ordinance is written if it is a practice

that citations are included in the ordinance; secondly, she questioned the discretion the ordinance gives to the Chief of Police; and lastly, if it would open the City up to lawsuits.

City Attorney Beveridge said City ordinances make reference to state statutes. He noted with regard to discretion, the Chief of Police can decide whether or not to identify a property as having had three or more nuisance activities within a month, but those activities have to occur. He also discussed a nuisance activity occurring and a tenant not answering the door for the police and the fact that officers cannot just enter the building. In situations such as these, the nuisance activity occurred but no citation was issued; however, when citations are issued, it creates a deterrent. City Attorney Beveridge further stated the ordinance does not open the City up for risk of a lawsuit.

Ald. Patton said he is concerned about landlords trying to enforce police actions and he does not feel the landlords should be put in that situation.

Ald. Trzebiatowski questioned if there is a possibility to issue the ticket to the resident of the property.

City Attorney Beveridge said tenants would have an easy defense to such a claim. He also mentioned that driver's licenses are governed by state statutes and DOT regulations. The City does not have authority to place a restriction or suspension on a driver's license for these types of actions.

Roll Call: Ayes: Ald. Slowinski, Trzebiatowski, Patton, Moore
Nays: Ald. Doxtator, Suomi, O'Meara, M. Stroik, Phillips. Motion fails.
Excused: Ald. Wiza, R. Stroik

Ald. Suomi **moved,** Ald. O'Meara seconded, to approve the ordinance.

Ald. Patton asked about the process of changing the ordinance if problems arise in the future.

Mayor Halverson said there are different ways to proceed – those being going back before the Public Protection Committee for review or placing the issue back in front of Council.

Ald. Trzebiatowski also expressed concern about once that ordinance is created, it becomes the "letter of the law" and it may be treated differently by future chiefs.

Ald. Moore asked why other ordinances are not "beefed up" instead of creating a new ordinance.

City Attorney Beveridge said the end result with this ordinance is to prevent these activities from happening. He further stated they are looking for compliance, deterrence and prevention of activities not wanted in the City and this is another tool in the toolbox.

Ald. Moore asked why not take each ordinance that deals with each incident and strengthen them instead of creating something new.

City Attorney Beveridge said disorderly conduct might only occur once at a premises and it should be enforced.

Mayor Halverson said the key word is chronic which leans toward repetition and continual problems as opposed to one-time nuisances.

Roll Call: Ayes: Ald. M. Stroik, O'Meara, Suomi, Doxtator
Nays: Ald. Moore, Phillips, Patton, Trzebiatowski, Slowinski. Motion fails.
Excused: Ald. R. Stroik, Wiza

Ald. Phillips **moved,** to postpone the ordinance until the December Council meeting for further review.

Mayor Halverson reiterated the motion to approve failed and the motion to deny failed and in terms of any other guidance, there will be no action on the item this month.

11. Minutes and actions of the Finance Committee meeting of November 11 and the Special Finance Committee meeting of October 28, 2013.

Ald. Moore **moved,** Ald. O'Meara seconded, to approve the Minutes and actions of the Finance Committee meeting of November 11 and the Special Finance Committee meeting of October 28, 2013.

Roll Call: Ayes: Ald. Doxtator, Suomi, O'Meara, M. Stroik, Slowinski, Trzebiatowski, Patton, Phillips, Moore
Nays: None. Motion carried.
Excused: Ald. Wiza, R. Stroik

12. Resolution Adopting the Budget for the City of Stevens Point for the Year 2014.

Mayor Halverson reviewed some changes of which would be the corresponding entry level for the wages as approved by the adoption of the pay plan to be moved from contingency to fund the wage accounts. He said there is also a change in capital as Portage County has funded the replacement of all mobile and portable radios for the police department for 2014. They also will replace portable and mobile radios for the paramedics and ambulances for a savings of $85,000.

C/T Ladick informed the Council that $5,000 of the operating budget was moved from Transit to Airport with another adjustment to the IT master plan in which $100,000 was originally budgeted, which is more than necessary, reducing that number to $35,000. He said this will save $65,000 and when added to the $85,000 will bring a savings of $150,000 to reduce borrowing.

Ald. O'Meara **moved,** Ald. Suomi seconded, to approve the budget with the changes to the capital budget as presented as well as the movement of the dollars out of contingency to appropriate wage accounts based on the new pay plan.

Ald. Moore **moved,** Ald. Trzebiatowski seconded, to remove everything dealing with municipal court out of this budget for further discussion.

Ald. Patton questioned why it should be removed.

Ald. Moore said no information is known about it, and it should not be placed in the budget at this time. He said the budget can be changed to add it, but right now he is concerned about the specifics.

Mayor Halverson clarified the amount of money included, that falls within the expenditure side of that budget, is 75% of the total amount required prorated by 9 months. He continued to say that is not the totality of what those individuals would be compensated for from an annual perspective.

Ald. Moore stated that is exactly why it should not be included in the budget until further discussion.

Ald. Patton asked if it would take a 2/3 majority vote of the Council to approve an amended budget if it is not approved at this time.

Mayor Halverson said it does.

Ald. Slowinski questioned where the municipal court funding would come from if it is removed from the budget at this time.

Mayor Halverson said the budget would have to be amended by a 2/3 vote to add the expenditures back, as well as putting the revenue assumptions back into the budget. He explained the reason for it being placed in the budget was to ensure, at a minimum, the expenditure side of the equation was covered primarily due to the ERP restriction as opposed to the levy restriction. If in the first quarter of 2014 the creation ordinance is not adopted for a municipal court, the money just sits there and there is no activity for those accounts. Mayor Halverson explained if it is approved, it would help stream-line the implementation process.

Ald. Trzebiatowski stated this is a valid reason to remove it. He said the money is in contingency and can be added in at a later date and he is not in favor of including it in the budget at this time until it can be discussed further.

Mayor Halverson said he understands that perspective and these concerns have been addressed with other municipalities that operate municipal courts as well as the District Court Administrator.

Ald. Patton asked if an ordinance to adopt a municipal court would still need to be approved if it is included in the budget.

Mayor Halverson said yes.

Ald. Patton asked for confirmation that the Council still has control on the issue.

Mayor Halverson stated 100%.

Ald. Patton further questioned if an appointed judge would need to be approved by the Council.

Mayor Halverson said with the creation ordinance, the Council would be a part of the process by creating an oversight board for the municipal court. He further explained the oversight board would be composed of five individuals, 3 of which would be from the City and 2 of which would be from the Village of Plover. Mayor Halverson said the ordinance would need approval from each governing body and the oversight board would choose the judge if it is an appointed position, which would depend on the time frame the court is established.

Ald. Moore questioned why this information has not been shared with the Council and community if this planning has been done. He stated the Village of Plover does not have it in their budget. And further questioned where the agreement came from and why it needs to be in the City's budget.

Mayor Halverson said it was discussed with the Village President, Administrator, Chief of Police and Captain of Operations.

Ald. Moore questioned if the Village Board has voted on it yet.

Mayor Halverson stated he did not know.

Ald. Phillips said he cannot support voting in favor of the municipal court because he has no documentation or numbers and it should be postponed.

Mayor Halverson restated the amendment is to remove any reference to municipal court from the budget.

Roll Call: Ayes: Majority.
Nays: Minority. Motion carried.

Ald. Trzebiatowski **moved,** Ald. Phillips seconded, to increase the deer management portion to $1,500.

Roll Call: Ayes: Majority.
Nays: Minority. Motion carried.

Mayor Halverson directed a vote on the original motion.

Roll Call: Ayes: Ald. Moore, Phillips, Patton, Trzebiatowski, Slowinski, M. Stroik, O'Meara, Suomi, Doxtator
Nays: None. Motion carried.
Excused: Ald. R. Stroik, Wiza

13. Resolution Appropriating Necessary Funds for the City of Stevens Point for 2014 and Levying the Tax Rate for the Year 2013.

Ald. Slowinski **moved,** Ald. Moore seconded, to approve the resolution.

Roll Call: Ayes: Ald. Doxtator, Suomi, O'Meara, M. Stroik, Slowinski, Trzebiatowski, Patton, Phillips, Moore
Nays: None. Motion carried.
Excused: Ald. Wiza, R. Stroik

14. Resolution Providing for Writing Special Assessments and Special Charges into the Tax Roll for 2013.

Ald. Moore **moved,** Ald. Phillips seconded, to approve the resolution.

Roll Call: Ayes: Ald. Moore, Phillips, Patton, Trzebiatowski, Slowinski, M. Stroik, O'Meara, Suomi, Doxtator
Nays: None. Motion carried.
Excused: Ald. R. Stroik, Wiza

15. Initial Resolution - Authorizing the Sale and Issuance of General Obligation Promissory Notes, and Certain Related Details.

Ald. Moore **moved,** Ald. M. Stroik seconded, to approve the initial resolution.

Roll Call: Ayes: Ald. Doxtator, Suomi, O'Meara, M. Stroik, Slowinski, Trzebiatowski, Patton, Phillips, Moore
Nays: None. Motion carried.
Excused: Ald. Wiza, R. Stroik

16. Initial Resolution - Authorizing the Sale and Issuance of Taxable General Obligation Promissory Notes, and Certain Related Details.

Ald. Moore **moved,** Ald. Doxtator seconded, to approve the initial resolution.

Roll Call: Ayes: Ald. Moore, Phillips, Patton, Trzebiatowski, Slowinski, M. Stroik, O'Meara, Suomi, Doxtator
Nays: None. Motion carried.
Excused: Ald. R. Stroik, Wiza

17. Minutes and actions of the Board of Public Works meeting of November 11, 2013.

    Ald. M. Stroik **moved,** Ald. Patton seconded, to approve the Minutes and actions of the Board of Public Works meeting of November 11, 2013.

    Roll Call: Ayes: Ald. Doxtator, Suomi, O'Meara, M. Stroik, Slowinski, Trzebiatowski, Patton, Phillips, Moore
    Nays: None. Motion carried.
    Excused: Ald. Wiza, R. Stroik

18. Ordinance Amendment – Traffic – Parking Restrictions, Signs, Weight limits & Truck Routes (Sections 9.05(o), (u), 9.06(a), 9.07(2)).

    Ald. Doxtator **moved,** Ald. Trzebiatowski seconded, to approve the ordinance.

    Roll Call: Ayes: Ald. Moore, Phillips, Patton, Trzebiatowski, Slowinski, M. Stroik, O'Meara, Suomi, Doxtator
    Nays: None. Motion carried.
    Excused: Ald. R. Stroik, Wiza

19. Minutes and actions of the Board of Water & Sewerage Commissioners meeting of November 11, 2013.

    Ald. Slowinski **moved,** Ald. M. Stroik seconded, to approve the Minutes and actions of the Board of Water & Sewerage Commissioners meeting of November 11, 2013.

    Roll Call: Ayes: Ald. Doxtator, Suomi, O'Meara, M. Stroik, Slowinski, Trzebiatowski, Patton, Phillips, Moore
    Nays: None. Motion carried.
    Excused: Ald. Wiza, R. Stroik

20. Resolution – Petitioning the Secretary of Transportation for Airport Improvement Aid.

    Ald. Patton **moved,** Ald. Moore seconded, to approve the resolution.

    Ald. O'Meara referenced the relocate/removal of the access road and trail in the resolution. He questioned what trail is being referred to and whether it will be relocated or removed.

    Director Lemke said part of the fence project involves potential relocation of a section of the Green Circle Trail.

    Ald. O'Meara then clarified it would be a relocation.

    Director Lemke stated it has been agreed that since the trail is existing, access would not be cut off.

Roll Call: Ayes: Ald. Moore, Phillips, Patton, Trzebiatowski, Slowinski, M. Stroik, O'Meara, Suomi, Doxtator
Nays: None. Motion carried.
Excused: Ald. R. Stroik, Wiza

21. Renaming of the Stevens Point Municipal Airport to "Stevens Point Municipal Airport/Mattson Field" (Discussion Only).

Mayor Halverson said Mr. Conrad Mattson is worthy of recognition at this level. He introduced John Dorcey and Tom Thomas of the Wisconsin Aviation Hall of Fame.

John Dorcey, 3980 Shamott Drive, Oshkosh, gave an overview of the mission of their organization which is to collect and preserve the history of aviation in Wisconsin and gave their full support in the naming of the airport.

Tom Thomas, 5210 Kingbridge Road, Madison, author of, "This Joker was an Ace", reviewed the highlights of his article on Conrad Mattson.

Ald. Patton said several pilots have talked to him about renaming the field with a concern about announcing the name of the field when they fly over. He said pilots use the name of the city when announcing a fly over and renaming the field may cause confusion. Ald. Patton questioned how naming the airport after Mr. Mattson would benefit the City.

Mayor Halverson stated it sets the airport apart in terms of its prestige specifically because it is recognizing the efforts of a veteran and it offers another destination in aviation history.

Ald. Patton said it may be more appropriate to name a hangar after Mr. Mattson.

Ald. O'Meara thought it is a good idea to name the airfield after Conrad Mattson and he encouraged the inspiration of the name.

Ald. Trzebiatowski questioned if there are other names of airport that are similar where it would cause confusion on the part of a pilot.

John Dorcey said it is not the intention to rename the airport, but rather add to the name of it by recognizing a hometown hero. He stated pilots will still refer to it as the Stevens Point Airport over the radio as is the practice with airports across the state.

Ald. Suomi stated she would like to preserve aviation history especially honoring a hometown hero of this caliber. She asked what the next step entails.

Mayor Halverson said he intends placing the official naming of the airport before Council in December.

Ald. Phillips said he is in favor of renaming the airport.

22. Minutes and actions of the Police and Fire Commission meeting of November 5, 2013.

    Ald. Phillips **moved,** Ald. Moore seconded, to approve the Minutes and actions of the Police and Fire Commission meeting of November 5, 2013.

    Roll Call: Ayes: All.
    Nays: None. Motion carried.

23. Minutes and actions of the Transportation Commission meeting of October 24, 2013.

    Ald. M. Stroik **moved,** Ald. O'Meara seconded, to approve the Minutes and actions of the Transportation Commission meeting of October 24, 2013.

    Roll Call: Ayes: All.
    Nays: None. Motion carried.

24. Statutory Monthly Financial Report of the Comptroller-Treasurer.

    Ald. Moore **moved,** Ald. O'Meara seconded, to accept the report and place it on file.

    Roll Call: Ayes: All.
    Nays: None. Motion carried.

25. Mayoral Appointment:
    City Plan Commission
    – Appoint Daniel Hoppe, 2008 McCulloch Street

    Ald. Suomi **moved,** Ald. Slowinski seconded, to accept the Mayoral appointment.

    Ald. Patton said he noticed Mr. Hoppe has an extensive background with the Historic Preservation Committee and questioned how it would affect his voting on issues that would impede development within the City.

    Mayor Halverson said Mr. Hoppe has been a member and volunteer with the Historical Society, but he has not been on the Historic Design Review Commission.

    Roll Call: Ayes: All.
    Nays: None. Motion carried.

26. Adjournment.

Adjournment at 8:53 p.m.

City of Stevens Point
SPECIAL COMMON COUNCIL MEETING

Council Chambers **November 18, 2013**
County-City Building **5:30 P.M.**

Mayor Andrew J. Halverson, presiding

Roll Call: Ald. Doxtator, Suomi, O'Meara, M. Stroik, Slowinski, Trzebiatowski, Patton, Philips, Moore
Excused: Ald. Wiza, R. Stroik

Also Present: City Atty. Beveridge, Clerk Moe, C/T Ladick, Directors Schatschneider, Lemke, Schrader, Ostrowski, Emergency Mgt. Director McGinty, Police Chief Ruder, Fire Chief Kujawa, Human Resources Manager Jakusz, Chris Jones-Stevens Point Journal, Nathanael Enwald-Portage County Gazette, Brandi Makuski-Stevens Point City Times

2. Minutes and actions of the Personnel Committee meeting of November 11, 2013.

C/T Ladick commented on a correction on page two of the Personnel Committee Minutes which references a letter sent out by the Mayor and the Comptroller/Treasurer endorsing implementation of the pay plan study findings. C/T Ladick stated that he has not taken an official position on the pay plan. His role with that letter was to explain the financial and budgetary implications of implementing the pay plan.

Ald. O'Meara **moved,** Ald. Phillips seconded to approve the Minutes and actions of the Personnel Committee meeting of November 11, 2013.

Roll Call: Ayes: All.
Nays: None. Motion carried.

3. Implementation of the Pay Plan Recommendations.

Mayor Halverson explained the packet contained an executive summary provided by Mr. Carlson along with a breakdown of the overall averages of public and private sector comparables reviewed as well as a further explanation of the presentation that was given to the Personnel Committee. He further explained the material distributed containing the structure of the overall rating grid and how it transforms into the point value associated with the grades along with the material needed for the appeal process.

Mayor Halverson read an email from Ald. R. Stroik regarding his thoughts on the pay plan recommendations. Ald. R. Stroik stated he is supportive of the implementation of the pay plan as presented and he further stated the compensation received by City of Stevens Point employees is fair and equitable.

Ald. Moore read a statement from Ald. Wiza who was not present. Ald. Wiza stated he expressed opposition due to the lack of information provided.

Ald. Slowinski expressed disappointment with his request for solid numbers that back up this plan. He said he asked for examples so he could examine the numbers and prove they are accurate. Ald. Slowinski stated the executive summary did not give any new answers. He said he does not want to delay the pay plan but he is not comfortable it.

Mayor Halverson said it is difficult to create a pay plan in which all comparables are reviewed internally and that is the reason Carlson/Dettman was chosen to compose the pay plan and furthermore is why their recommendations are being followed. Mayor Halverson feels the amount of information provided, from a mathematical basis, is well done in terms of a pay plan that is representative of fiscal challenges and compensates employees.

Ald. O'Meara said it appears the wage rates are in line; however, he questioned the Carlson/Dettman work plan being subject to open records regarding the private sector comparables once that information is given to the City.

Mayor Halverson explained everything received from Mr. Carlson has been provided to the Council members. He said Mr. Carlson may be taking what are public records and applying them into a work product that would have protection under the law.

Ald. O'Meara stated Carlson does not have protection under the law if he is performing work for the City. He cited Attorney General Van Hollen's work product which states anything produced while making a product for a municipality are open records.

City Attorney Beveridge said he would look into the matter.

Ald. Trzebiatowski said he was given the impression that Council would have the ability to either include or exclude the private sector numbers. He is concerned about numbers being skewed depending upon how they are applied. Ald. Trzebiatowski also expressed his concern regarding the appeals process being the responsibility of the Mayor.

Mayor Halverson said the consultant will be making those decisions and he intends to stay out of them completely as any concerns should be heard objectively. He said those concerns can be handled best by a third party. Mayor Halverson said there is a pay plan that can be provided which excludes private sector comparables. He said that pay plan will cost about $50,000 to $60,000 more and he feels that this plan is not an accurate, fair or appropriate review. Mayor Halverson went on to state that Act 10 allows the use of private sector comparables and it would be a disservice to the community not to use private sector comparables in the mix. He restated this is a good work product that makes sense as it is built on a lot of research and data.

Ald. Trzebiatowski said he wished police and fire personnel would have been included in the comprehensive study plan which would have given bargaining leverage in future negotiations.

City Attorney Beveridge cited the public record statute has an exception that protects the release of trade secrets.

Ald. Patton stated this company was hired by Council to perform this study and there needs to be trust that the proper data was provided.

Mayor Halverson said Carlson/Dettman's work product has stream-lined the pay plan process for the City. He stated the pay plan is based on the average of the comparables gathered and it is right for the City's financial situation as the inequities are being corrected. Mayor Halverson said the pay plan is not a position to position comparison. It is a bulking of similar graded and type positions.

Ald. Patton feels there are a lot of emotions that are guiding decisions.

Mayor Halverson said he feels compensation should be correct for the different jobs that are performed.

Ald. Phillips asked how much Carlson/Dettman will charge for each appeal process.

Mayor Halverson said all of the appeals are a part of the process; however, for any job review or job placement there is a $250 charge.

Ald. Phillips then questioned Human Resources Manager Jakusz if she felt anything in the documentation or plan seemed out of place to her.

Human Resources Manager Jakusz reiterated that private sector data has been incorporated in the plan for the first time ever in the review of positions and she would not say anything in particular stuck out. She stated she feels it is a fair pay plan.

Ald. Phillips asked if a mandatory review of the plan can be put in place in 2 to 3 years.

Mayor Halverson said it cannot be made mandatory, but on-going review should be continual. He said a future Council cannot be bound to review the plan.

Ald. Phillips questioned if the motion could state to adopt the pay plan for three years and then it would be renewed after review.

Mayor Halverson stated at that time, the Council could review it and if a Council wants to take action to eliminate the play plan, they have that ability.

Ald. Trzebiatowski voiced further concern over the fact the pay plan does not reflect longevity of employees and the respective differences of duties among those employees with the same job titles. He also mentioned the concern of morale issues for those employees who are not expected to see a wage increase for years.

Mayor Halverson said that should be taken into consideration and at some point in the future if the Council decides to offer a cost of living adjustment to those employees, it can be done. He said there will be varying view points as it is sensitive in nature but the data is hard to ignore.

Ald. Moore stated he disagrees with Ald. Patton's analysis of the Council's perspective on the matter. He said the difficulty is not having the source of numbers available and seeing wide-spread differences in freezing or raising salaries. Ald. Moore also mentioned the challenge of answering questions of constituents without having all of the information.

Mayor Halverson reiterated Mr. Carlson has been pushed for the data but he can only provide so much.

Ald. Moore said what the Council has been getting is not sufficient in the form of a study.

Ald. Patton asked how it could be explained if a City employee starts at the same grade and higher level for the same type of job than a neighboring community.

Mayor Halverson stated the average of the comparables in all grades is the control point. He said when Eau Claire, La Crosse and De Pere were removed from the pay plan as comparables, it dropped salaries by about $2,000 on average. Mayor Halverson believes with adoption of the pay plan, questions regarding salaries will be significantly less. He would like to adopt the plan, work through the appeal process and figure out if jobs are graded correctly.

Ald. Slowinski again stated he does not want to hold up the pay plan and he wants everyone to be treated fairly and compensated for what they do. He questioned the decrease in salary numbers due to removal of the Eau Claire, La Crosse and De Pere comparables.

Mayor Halverson said excluding the Eau Claire, La Crosse and De Pere comparables dropped the mid-grade steps and above approximately $2,000.

Ald. Slowinski questioned if there was additional information distributed to the Mayor that the Council did not receive.

Mayor Halverson referenced the first draft of the pay plan before those comparables were removed.

Ald. Slowinski said he reviewed the management pay plan from 2008 and he noticed that some positions have increased in points. He further questioned the change in some positions that have bumped up a grade.

Mayor Halverson stated there were significant changes in the Fire Department, Police Department and Parks Department in regard to consolidation of duties and shifts in positions where there was a substantial change in duties.

Ald. O'Meara repeated his thoughts that the pay plan is an accurate representation. He compared salaries of the Water Maintenance Worker and the Storm Sewer Worker and asked that those be reviewed.

Mayor Halverson reviewed and explained the difference in grades of the two positions in regard to their salaries. He said job titles are not representative of the work the positions do.

Ald. O'Meara felt this is an area where an appeal is warranted.

Mayor Halverson stated he would not debate it and the appeal could modify the process.

Ald. O'Meara said if something stands out, it should be looked at. He feels not every employee has the personality to launch a successful appeal.

Mayor Halverson said in reviewing the job descriptions, they are well placed and if any employee and their department head want to move forward with an appeal, the process is in place to do so.

Ald. O'Meara said the administration, acting in good faith, should initiate appeals and not wait for an employee to make the appeal.

Mayor Halverson stated he will not make any of those proactive decisions until he hears from the department heads who understand what those positions do on a day to day basis.

Ald. O'Meara asked those department heads to review it.

Mayor Halverson said those department heads have already initiated numerous proactive steps for various positions.

Chief Ruder said he was disappointed by the debate and he is in support of the pay plan implementation because there needs to be a starting point.

Ald. Slowinski **moved,** Ald. Phillips seconded, to approve the pay plan with an amendment to the appeal process with the final decision of the appeals to be the responsibility of the Personnel Committee and Common Council.

Ald. Patton questioned the responsibility of the Personnel Committee.

Mayor Halverson explained the process would be for him to wait for reviews to come in from the department heads, which will then be forwarded to Mr. Carlson for his review and analysis, with those results being forwarded to the Personnel Committee and the Council.

Ald. O'Meara said he would like a procedure in place where the decision from Mr. Carlson could be appealed to the Personnel Committee and Common Council.

Mayor Halverson stated that is fine.

Ald. O'Meara said if there is a reasonable review and both sides are happy, it does not have to be brought to the Council.

Mayor Halverson stated if everyone is comfortable with that process, it can be done.

Ald. Slowinski said he wants the option for the Common Council to hear the final appeal.

Mayor Halverson said that is how it was handled the last time with the management pay plan.

Ald. Suomi stated this is the type of discussion and study -- post Act 10 -- that municipalities are contemplating and it is uncomfortable. She further stated the pay plan is the direction the City needs to go and she supports the motion. Ald. Suomi said people need to remember that this pay plan does not eliminate positions and that is the step in the right direction.

Ald. Moore stated fairness is the reason for the push in getting the numbers from Mr. Carlson and taking some comparables out of the plan was a part of getting true numbers. Ald. Moore stated the differences between the City of Eau Claire and the City of Stevens Point. He said the Alderpersons have a constituency to be fair with too and that is the hard part to balance.

Mayor Halverson restated the motion is to approve the pay plan as presented with the Mayor having the discretion to approve grade review changes as suggested by the consultant. If those are denied and the individual(s)/department head(s) are not comfortable with the decision, they can appeal the decision to the Personnel Committee and Common Council.

Roll Call: Ayes: Ald. Phillips, Patton, Slowinski, M. Stroik, O'Meara, Suomi, Doxtator
Nays: Ald. Moore, Trzebiatowski
Excused: Ald. R. Stroik, Wiza. Motion carried.

4. Public Hearing on the General Local Municipal Budget for 2014.

Mayor Halverson declared the public hearing open.

Dave Schleihs, 1026 Smith Street, President of the Police and Fire Commission requested Council vote in favor of the budget as proposed. He said the Police and Fire Commission passed a resolution supporting the funding levels for public safety and would appreciate support.

Mayor Halverson declared the public hearing closed.

5. Adjournment.

Adjournment at 6:32 p.m.

City of Stevens Point
SPECIAL COMMON COUNCIL MEETING

Council Chambers **December 9, 2013**
County-City Building **7:15 P.M.**

Mayor Andrew J. Halverson, presiding

Roll Call: Ald. Doxtator, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Philips, Moore

Also Present: City Atty. Beveridge, Clerk Moe, C/T Ladick, Directors Schatschneider, Lemke, Schrader, Ostrowski, Emergency Mgt. Director McGinty, Police Chief Ruder, Fire Chief Kujawa, Human Resources Manager Jakusz, Chris Jones-Stevens Point Journal, Nathanael Enwald-Portage County Gazette, Brandi Makuski-Stevens Point City Times

2. A Resolution Authorizing and Providing for the Sale and Issuance of $2,105,000 Taxable General Obligation Promissory Notes, Series 2013C, and All Related Details.

Ald. Moore **moved,** Ald. Slowinski seconded, to approve the resolution.

Ald. R. Stroik said the Finance Committee approved $2,085,000.

Mayor Halverson said the changes that were approved at the Finance Committee will be reflected in the final resolution.

Roll Call: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Doxtator
Nays: None. Motion carried.

3. A Resolution Authorizing and Providing for the Sale and Issuance of $780,000 General Obligation Promissory Notes, Series 2013D, and All Related Details.

Mayor Halverson stated this resolution was modified at the Finance Committee meeting for the amount of $775,000 and it will be reflected in the resolution.

Ald. Moore **moved,** Ald. O'Meara seconded, to approve the resolution.

Roll Call: Ayes: Ald. Doxtator, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, R. Stroik, Phillips, Moore
Nays: None. Motion carried.

Mayor Halverson recessed the meeting at 7:17 p.m. and said it will be called back to order after the Board of Public Works and Finance Committee meetings.

Mayor Halverson called the meeting back to order at 8:50 p.m.

4. Resolutions Relating to the Dissolution of the Community Development Authority and Re-creation of a Separate Redevelopment Authority and Housing Authority (discussion only).

Mayor Halverson discussed the memo he provided to Council which lays out the differences, assets and operations between the authorities. He explained one of the resolutions is for the dissolution of the CDA, and the other allows for the re-creation of a housing authority which is separate and distinct under the law. Mayor Halverson said all HUD related public housing projects would be run by a statutory housing authority. He went on to say when the City created a CDA, the roles of the housing authority and the redevelopment authority were combined into a single Community Development Authority under the law. Mayor Halverson said this resolution will separate the responsibilities of Community Development Director. The director will not have the responsibilities of the housing authority as they would be vested with a separate housing authority board. Mayor Halverson also stated the redevelopment authority would also have a separate board. He explained the redevelopment authority will retain the insulation of liability which is important to the city's tax base. This reasoning has been stressed by the City's present and prior attorneys to retain a redevelopment authority as it would continue to insulate the city from litigation regarding those projects.

Ald. Moore asked if these Boards are going to answer to the Common Council.

Mayor Halverson said no.

Ald. Moore asked if that is by law.

Mayor Halverson stated yes, it is by state statute.

City Attorney Beveridge explained the redevelopment authority would not answer to the Council in terms of its actions; however, membership would require approval.

Mayor Halverson said those appointments will be introduced to the Council for consideration after the resolutions are approved.

Ald. O'Meara asked if these entities need to borrow money, would Council need to approve it.

Mayor Halverson replied yes.

Ald. Trzebiatowski noted if the City has properties, such as Edgewater, the new development authority would have complete control of the use and expenditure of that money without consideration of the Council.

Mayor Halverson stated that is correct.

Ald. O'Meara asked if a CDA property is sold, if it would have to come before the Plan Commission and Common Council.

Mayor Halverson said any sale of a publically owned property or long term transfer would have to be authorized by the Plan Commission for a recommendation back to the redevelopment authority. He went on to state that the split changes very little, however it does create a new redevelopment and housing authority board which should clear up the misconception that exists. Mayor Halverson said it allows for housing authority action via that board and the redevelopment authority will still be vested with staff support from the Community Development Director.

Ald. Moore asked about the eligibility requirements to serve on one of the boards.

Mayor Halverson said they would have to be a resident of the City.

City Attorney Beveridge stated the statute for the redevelopment authority requires the Mayor and Council give due consideration to persons having a background in redevelopment and finance in regard to the redevelopment authority. He said the housing authority statute does not contain any verbiage to that effect which would leave more flexibility.

Ald. R. Stroik said the real reason this is being done, more than statutorily, is to free up more of Director Ostrowski's time to better suit the constituency.

Mayor Halverson said yes, we want to free up his time so he can focus on creating a destination for citizens that is a "one stop shop" for anything that relates to property.

Ald. O'Meara said from an ordinance standpoint, he would prefer a board of people interested in housing and community development.

Mayor Halverson agreed.

City Attorney Beveridge stated we are breaking new ground by doing this as the statutes do not contemplate for this set up.

Ald. Doxtator questioned if there are cost savings or if it will cost more.

Mayor Halverson said there will be little difference with finances.

Ald. Doxtator questioned if any one will lose their job over this.

Mayor Halverson stated in terms of this action, no. He said the resolutions will be on the regular Common Council meeting for this month and if approved, the appointments to the boards will follow for the standard review process.

5. Adjournment.

Adjournment at 9:05 p.m.

Wisconsin Aviation WAHF Hall of Fame

A membership organization dedicated to preserving the past, fostering the future of flight.

18 November 2013

Stevens Point Common Council
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481

Dear Friends:

It is my pleasure to write a letter in support of the renaming of the Stevens Point Municipal Airport to Stevens Point Municipal Airport-Mattson Field.

Stevens Point native Conrad "Connie" Mattson brought great credit to the City of Stevens Point, the State of Wisconsin, and our country by serving with distinction in the United States Air Force. A recipient of the Distinguished Flying Cross and other medals, the country's first jet ace, and a notable military veteran, Mattson is deserving of this honor for his dedication to community service and in the defense of the United States of America and its citizens.

Conrad Mattson is an example of the admirable qualities we strive to promote and nurture in future generations of young men and women serving our country. Surely his story and this honor will inspire scores of people to give back to society in their own ways, furthered in part by the naming of the airport in his honor.

In conclusion, the Wisconsin Aviation Hall of Fame is well aware of the accomplishments of many Wisconsin aviators from World War I and forward, and we can think of no one more deserving of this tribute, here in Stevens Point, than Conrad Mattson. We fully support the efforts of Airport Director Jason Draheim in bringing this proposal forward.

Sincerely,

Rose Dorcey

Rose Dorcey, president
Wisconsin Aviation Hall of Fame

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Our Mission:
To collect and preserve the history of aviation in Wisconsin, recognize those who made that history, inform others of it, and promote aviation education for future generations.

REPORT OF CITY PLAN COMMISSION

December 2, 2013 – 6:00 PM
Lincoln Center – 1519 Water Street

PRESENT: Mayor Andrew Halverson, Alderperson Jerry Moore, Commissioner Tony Patton, Commissioner Anna Haines, Commissioner Daniel Hoppe, Commissioner Garry Curless, and Commissioner David Cooper.

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, Comptroller Corey Ladick, City Attorney Andrew Beveridge, Police Chief Kevin Ruder, Alderperson Doxtator, Alderperson Joann Suomi, Alderperson Randy Stroik, Alderperson Phillips, Brandi Makuski, Reid Rocheleau, Barb Jacob, Dean Miller, Henry Kroger, Mary Ann Laszewski, Sarah Wallace, Nate Enwald, Chris Jones, Jeffrey May, Romualdas Stanenas, Bob Fisch, Cindy Nebel, Donna Smith, Chris Burch, Rick Froehlich, Rich Sommer, Matt Carlson, Leonard Szymkowiak, David Plaisance, Jack Fischer, Shirley Multhauf, Cathy Dugan, Bob Wierzba, Noah Eschenbauch, Ernest Salibi, and Mildred Neville..

INDEX:

1. Report of the November 4, 2013 Plan Commission meeting.
2. Amending Chapter 23 (Zoning Code) and Chapter 21 (Building and Premises Maintenance and Occupancy) of the Revised Municipal Code to adjust parking and loading standards (Sections 23.01(14) and 23.01(15)), along with related definitions (Section 23.04), and ordinances (Sections 21.03(13) and 21.08(1)(b)).
3. Amending Chapter 23 (Zoning Code) of the Revised Municipal Code to allow adjustments to be made to conditional use standards relating to landscaping (Section 23.01(16)(c)(14)) by the City Forester.
4. Portage County Bicycle and Pedestrian Plan update.
5. Request from Wisconsin Public Service to obtain a 12 foot utility easement on City property south of E. M. Copps Drive extended, within the East Park Commerce Center.
6. Request from Salah Qutaishat for a conditional use permit to allow four unrelated persons in a single dwelling at **2316 Main Street (Parcel ID 2408-33-2016-08).**
7. Request from CCFS Group, LLC for a conditional use permit to construct an approximate 40-unit apartment building, using the "B-TID5" Tax Incremental District 5 standards, at **209 Division Street (Parcel ID 2408-29-4002-03).**
8. Adjourn.

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1. Report of the November 4, 2013 Plan Commission meeting.

   Motion by Alderperson Moore to approve the report of the November 4, 2013 meeting; seconded by Commissioner Cooper. Motion carried 6-0.

2. Amending Chapter 23 (Zoning Code) and Chapter 21 (Building and Premises Maintenance and Occupancy) of the Revised Municipal Code to adjust parking and loading standards (Sections 23.01(14) and 23.01(15)), along with related definitions (Section 23.04), and ordinances (Sections 21.03(13) and 21.08(1)(b)).

   Director Ostrowski stated at the last Plan Commission meeting there were some modifications to the proposed draft, those modifications have been made and a few others and staff had worked with Bob Fisch on adding the bike parking standards. Also, we will be amending 21.03 where there were some conflicting regulations between the Building Premise Maintenance and Occupancy code, with the Zoning Code. Those two amendments are provided in the packet.

Reid Rocheleau, 408 Cedar Street, stated he feels the amendment is unfair due to it being accommodating for the Division Street development and suggests the commission wait to see how the development goes before taking action on this amendment.

Mary Ann Laszewski, 1209 Wisconsin Street, feels the parking changes are just for the proposed apartment plan to pass, finds it alarming that a developer would propose parking for only 40% of its occupants, feels it is a poor suggestion that the residents purchase parking passes from the university where there is a lack of parking, and that it is wrong to change codes for specific developments.

Cindy Nebel, 1100 Phillips Street, is concerned this amendment is tailored specifically to a project, and the change may not be beneficial to the city as a whole. Other concerns were the credit for on street parking, proximity to public transit availability, and structured parking. She also expressed her concern of an alternative parking plan for developments being approved by the plan commission without going before the Common Council.

Daryl Kurtenbach, 5282 Airport Road, pointed out that parking was not an issue in the past for rentals, but as times have changed it has become a big issue. He is offended this change has come about with a large scale operation where local rental owners have had to obey existing codes, and requests the commission wait and see how whole project develops.

Paul Wachowiak, 1620 Meadow View Lane, is against this amendment for a large scale project that is coming in and asked the commission to postpone action.

Commissioner Daniel Hoppe arrived at 6:14 PM

Jeff May, 21 Oakcrest, asked the commission to vote no to the parking amendment due to legal issues. He also questioned where this puts the complexes that already exist, and do they have the ability to bring in an engineer with transportation expertise to re-evaluate their complexes. He and feels everyone should be treated fairly.

Barb Jacob, 1616 Depot Street, is in agreement with the other speakers and feels there should be a parking stall for every tenant. She thinks if they are unable to park in the lot where they live they will probably park at the other businesses in the area and will cause an issue for those businesses. She feels there is a need for more information prior to action on this amendment.

Mildred Neville, 1709 Jefferson Street, asked that the commission postpone this action until the public and the commissioners have time to get more information regarding the parking.

Rich Sommer, 4224 Janick Circle, feels the amendment violates the purpose of planning and zoning. With this change there are no standards to compare this too, and asked the commission to postpone action.

Noah Eschenbauch, 2826 Hay Meadow Drive, stated 90% of his tenants have vehicles and with the construction of the science building expansion and the parking structure on campus for the next two years there will be a loss of approximately 600 parking spaces. Please consider the number of parking spaces we are already losing on campus, much less the number that the proposed project will be forcing out.

Bob Wierzba, pointed out there is a safety aspect of students who have to park somewhere other than their residence and having to walk late at night.

Henry Kroger, 3200 Water Street, after giving his recollection of the past student housing history, he asked the commission to table the request because he feels it is unfair to current rental owners.

Director Ostrowski explained currently under the Maintenance and Occupancy Code, it requires for each occupant at least one approved parking space, occupant shall not include any person under 18 years of age. The building inspector may waive this requirement on premises with more than five units if two spaces are

provided per unit and any premises, if each occupant for which there is no parking space stipulates he will have no motor vehicle located on the premises, and the owner authorizes the Building Inspector to immediately remove any vehicle not parked in a permitted parking area.

In looking at other communities, we would not be out of the realm. Specifically:

CITY	**MULTI-FAMILY PARKING**
Marshfield	1 space / dwelling unit
Wausau	1.5 spaces / dwelling unit
Green Bay	1 space / 1-bedroom unit 2 spaces / 2-bedroom unit or larger
La Crosse	1.5 spaces / dwelling unit 1 additional space / bedroom, 3-bedroom unit or greater (max 4)
Madison	1/dwelling
Milwaukee	1 space / 1-bedroom unit 2 spaces/ 3-bedroom unit or larger
Menomonie	2 spaces / dwelling unit
Whitewater	4 spaces / 3 bedroom unit or larger
River Falls	2 spaces / dwelling unit
Oshkosh	2 spaces / 2-bedroom unit or less + 0.5 (1/2) space per additional bedroom over 2 bedrooms per unit
Superior	1.5 spaces / dwelling unit
Kenosha	2 spaces / dwelling unit
Platteville	0.75 spaces / bedroom for 2 or more bedroom units
Eau Claire	1.5 spaces / dwelling unit

In response to the comment made about modifications being made by the Plan Commission without Common Council approval, and right now that can occur and we have done it before, we could modify that section to have plan commission recommend and common council approve. In terms of other multifamily developments, or other projects that require a conditional use, if you feel they don't have enough parking, you could require them to have more parking beyond what the ordinance requires. When we discuss item 7, you look at that through the conditional use standards and properties that are that close to the university, maybe those students aren't bringing as many vehicles to campus.

Commissioner Haines asked with the comparables, do they all have universities with separate UW-Housing, to which Director Ostrowski stated not all of them, but many of them do. She then stated we have talked about parking on and off for a long time, knowing that it needs to be addressed, and last month we discussed this amendment and appreciates the changes made, and feels this is moving in the right direction.

Commissioner Curless asked what is meant by one per dwelling, to which Director Ostrowski answered, one dwelling unit. He then asked if the university builds a dormitory, how many parking spaces do they have to have; Director Ostrowski stated that would have to come before the Plan Commission. He then clarified there may not be 1 parking stall for every student, to which Mayor Halverson stated that is correct.

Mayor Halverson stated he is not opposed to looking at other exceptions for other kinds of projects, where they make sense, as well as being appropriate for the kinds of sites that people are talking about. With parking, communities have embraced the fact that there needs to be a regulatory number for parking, and for certain uses that makes sense. But, if an owner of any use wants to take on a particular construction project that may or may not produce enough parking and that owner is comfortable with that, their bottom line is

potentially going to be affected through enforcement. Businesses realize they need a certain amount of parking spaces, and that is why a minimal approach to what we are requiring makes a great deal of sense for the kinds of projects we are looking to encourage.

Commissioner Curless asked how this would affect the current dwelling complexes. Director Ostrowski explained if a complex owner wants to amend their conditional use, they can to have reduced parking, if approved. This is not for just one single project, but for every development moving forward.

Commissioner Cooper in talking about student housing, we are trying to be progressive, and if we think the university is going to get bigger, more students, more upper classmen, but when looking at houses around the college area, a student family licensed for 6 would have to have only 2 spaces he feels that would cause a problem. Director Ostrowski stated it would depend on its license and what is listed there. The Commission could require additional parking if they felt it would cause a concern. Commissioner Curless asked if it would cause a problem, or would the student with a car go somewhere else. Mayor Halverson added should it be a requirement of the city or a choice of the resident.

Director Ostrowski pointed out most of the problems we see with parking violations are within the single family homes that have been converted to rentals. Those properties have licenses and are required to have a certain number of spaces to be provided because of being grandfathered in uses.

Commissioner Haines asked for clarification, so in the past, multifamily dwellings can change. Director Ostrowski explained they can amend their conditional use, but the properties we are seeing the most problems with are the single family homes that surround the university. She then asked in the apartment complex by Maria, did we have a parking space requirement, to which Director Ostrowski stated we did require one. She then pointed out with complexes coming before the Plan Commission, we could demand more parking then provided as well, to which Mayor Halverson confirmed because it is through the conditional use process. Commissioner Cooper asked if all multiple family projects come through Plan Commission, to which Director Ostrowski stated yes they do.

Commissioner Hoppe stated he feels the parking will work out, and that tenants will either rent with parking or leave the car at home. Mayor Halverson added that is the reason why we talk about distance to the bus stop and other kinds of progressive elements of the Zoning Code that start to embrace the practicality of what we have done with other ventures to make it easier for students to move around this community and work.

Commissioner Haines stated downtown there is multifamily housing which does not have parking and there has been an agreement for purchasing parking in municipal lots, can we do this with other developments, to which Director Ostrowski answered they have been able to purchase parking in the municipal lots. Mayor Halverson stated that is very practical request and can be reviewed for other examples. Commissioner Haines asked if the parking in municipal lots was negotiated, or did that have to come before Plan Commission and would that be an alternative parking plan. Director Ostrowski explained the alternative parking plan is for example a major retail center that is built and is going to require 1 stall per every 300 square feet, but they don't need that much parking, they can provide an alternative parking plan, but if you are more comfortable sending that to the Plan Commission and Common Council, we can do that. Mayor Halverson stated it is the reality of working within the code to give the flexibility on a project by project basis for common sense applications that are statistically and engineering driven based on what the business knows it needs.

Commissioner Curless asked regarding agenda item 7, the city is not going to regulate which students get the parking stalls, but what about the people who bring cars to school later in the semester. Mayor Halverson answered that would be the responsibility of that particular property, and if it now impedes on other adjacent properties, the it becomes an enforcement issue.

Alderperson Moore wants the parking plans to go back before the Common Council. He is also concerned with language stating the Administrator has the ability to approve things, but feels that opens the door to bad behavior, and would like to see all references to administrator approval struck. Director Ostrowski asked if he wanted those to be brought before the Plan Commission and Council, we can do that. Mayor Halverson suggested having Plan Commission with Common Council approval for the alternative parking plan. Director Ostrowski explained the reference to the administrator is based on set standards. Mayor Halverson suggested if the offsite parking, which is how we do it currently, we can bring any requests for offsite through the Plan Commission and do it that way, and keep it how it is now, unless you want to change the requirements and make them more specific. Director Ostrowski suggested we can also change all references of administrator approval to Plan Commission and Common Council approvals. Commissioner Patton asked if those changes are made, can this ordinance still go to Common Council, or will it be back before the Plan Commission, to which Mayor Halverson stated it can go to Council. Mayor then clarified anything that is an exception to what is laid out as codified requirements, be it a review only by the Plan Commission or a review previously as laid out as by the Administrator will need Plan Commission recommendation and Common Council approval, as suggested by Alderperson Moore.

Motion by Commissioner Haines to approve amending of Chapter 23 (Zoning Code) and Chapter 21 (Building and Premises Maintenance and Occupancy) of the Revised Municipal Code to adjust parking and loading standards (Sections 23.01(14) and 23.01 (15)), along with related definitions (Section 23.04), and ordinances (Sections 21.03(13) and 21.08(1)(b)) with requiring the alternative parking plan to be approved by the Common Council, and all references of approval by Administrator changed to Plan Commission and Common Council approval; seconded by Mayor Halverson.

Commissioner Cooper stated he would prefer if these amendments come back next month instead of taking action tonight.

Motion carried 5-2, with Commissioner Cooper and Alderperson Moore voting in the negative.

3. Amending Chapter 23 (Zoning Code) of the Revised Municipal Code to allow adjustments to be made to conditional use standards relating to landscaping (Section 23.01(16)(c)(14)) by the City Forester.

Director Ostrowski explained the ordinance amendment would allow the City Forester to recommend alternative landscaping standards, specifically under the conditional use standards. It has become apparent that some of the standards do not fit every site, especially infill or redevelopment sites; mainly, requiring one tree per unit on multi-family developments. Requiring this, along with the parking lot screening standards can become counterproductive and may actually lead to decreased landscaping effectiveness. For example, if too many trees are planted on a lot, it may restrict their growth, and those trees may never reach maturity. Allowing the City Forester to recommend alternatives may actually improve landscaping on these types of sites.

Mildred Neville, 1709 Jefferson Street, has concerns as to the way this amendment has come up, why the City Forester was asked questions when the conditional use request application had not been submitted based on the dates of the memo and application. There is too much discretion given to individuals.

Director Ostrowski responded we are not adding discretion to any individual with this item. This is currently a conditional use that comes through the Plan Commission; however the Plan Commission cannot provide any recommendation on modifying a plan. There may be more effective plans that come forward with better spacing requirements, larger trees, as opposed to trees that don't add much to the lot. This would require the

Forester to provide a recommendation to the Plan Commission for their review and ultimately Common Council approval.

Leonard Szymkowiak, 3119 Martha's Lane, stated it is difficult to hear the commission and speakers in the back.

Director Ostrowski explained the conditional use request in agenda item 7 meets all of our current and existing ordinances and this amendment just provides another option for the Plan Commission to consider in the future.

Motion by Commissioner Patton to approve the amending of Chapter 23(Zoning Code) of the Revised Municipal Code to allow adjustments to be made to conditional use standards relating to landscaping (Section 23.01(16)c(14)) by the City Forester; seconded by Commissioner Haines. Motion carried 7-0.

4. Portage County Bicycle and Pedestrian Plan update.

   Sarah Wallace of Portage County Planning and Zoning presented the current progress on the Portage County Bicycle/Pedestrian Plan, which had developed from the 2006 Portage County Comprehensive Plan. There will also be an open house held Tuesday, December 3, 2013 from 6:30 PM to 8:30 PM in the Lincoln Center Multi-purpose Room for participants to view the draft plan recommendations, offer comments, and speak with staff about the development and implementation. Also, plan updates and status can be viewed at the official blog of the Portage County Bike-Ped Plan.

   Mayor Halverson stated the draft so far has an all encompassing approach to bike and pedestrian issues that we have seen, and feels it will be very exciting to see the plan implemented and the recommendations start to plan their way into different ordinances and projects as we start to move and continue to move in that direction.

   Reid Rocheleau, 408 Cedar Street, feels there is a need for enforcement and education of bike laws.

5. Request from Wisconsin Public Service to obtain a 12 foot utility easement on City property south of E. M. Copps Drive extended, within the East Park Commerce Center.

   Motion by Alderperson Moore to approve the request from Wisconsin Public Service to obtain a 12 foot utility easement on City property south of E. M. Copps Drive extended, within the East Park Commerce Center; seconded by Commissioner Patton. Motion carried 7-0.

6. Request from Salah Qutaishat for a conditional use permit to allow four unrelated persons in a single dwelling at **2316 Main Street (Parcel ID 2408-33-2016-08).**

   Director Ostrowski explained the applicant is requesting to allow four unrelated individuals to reside in the one unit. Our current ordinance only allows two. It does meet the square footage lot requirement, which would allow him to go multifamily within our zoning code. In looking at the property there is a concern regarding the Comprehensive Plan, which does call this area to remain residential in character, however looking at this specific request the applicant would not need to come before the commission for the conditional use if they convert the residence into a duplex and rent to two individuals in each unit. He feels it would be less detrimental to the structure itself and could be converted back to single family if the owner would be allowed to have four persons residing in a single unit.

Reid Rocheleau, 408 Cedar Street, is against this request because he is concerned for the city encouraging more multifamily rentals and in the next agenda item the development will help turn the converted single family homes back to single family residences.

Mary Ann Laszewski, 1209 Wisconsin Street, is against this request due to it showing disregard for the efforts to manage and reign in rooming houses. She feels the home should be rented as single family due to the lack of single family rentals. She feels this is a loss of an elegant home and is concerned on who will monitor and care for this property as it has an out of town owner.

Leonard Szymkowiak, 3119 Martha's Lane, cited a prior incident of a home being purchased for a family member to reside and have roommates to supplement the payments; it was then noticed regarding improper occupancy so the home had to be sold. He asked why the city would allow an exception now, and feels the home should comply with the ordinance.

Cathy Dugan, 615 Sommers Street, feels this is not a place for a rooming house and believes the realtors are telling potential buyers they can purchase homes for rental properties and ways to get around the city enforcement.

Cindy Nebel, 1100 Phillips Street, admits to being the reporting party of this property complaint with parking and occupancy issues. She feels this is a nice house and has a concern for rental properties changing the dynamics of a neighborhood, the safety of four cars that may back out onto Main Street, and unlicensed rentals not paying the proper taxes on the rental income. She feels the city should stop single family homes from being turned into multifamily rentals.

Dave Plaisance, 3241 Nicolet Court, feels this may open up requests from other landlord's who have the rooms and want to increase tenants, and feels we need to stick with the ordinances.

Mildred Neville, 1709 Jefferson Street, questioned how long the occupancy has been violated, if there were consequences to the violation, and the application process including the dates on the application. She was against this request.

Director Ostrowski explained this property is different from other requests in that the ordinance does allow for it due to the correct zoning and meeting the required lot size. In regards to not meeting standard number 7 of review in our Comprehensive Plan, it calls for this area to remain residential, the problem with the plan is it does not address the number of occupants that are considered a family, but the residential character is still within that district. If this property was zoned R-2, and there was a request to change it to B-4, that would be inconsistent with the Comprehensive Plan. Staff did recommend approval because it is allowed within the Zoning Code for non-conforming lots in this zoning district. If we want to stop doing that, we need to amend our Zoning Ordinance to change the definition of multiple dwelling to mean 3 or more units or more than 2 unrelated people, to just say 3 or more units. If you want this area to stay single family, or two family, or not increase in density, then the properties will have to be rezoned. If we want to start converting these properties back to single family owner occupied residences, there are multiple steps the city will need to take such as amending the Zoning Code to not allow any structures to be reconverted on lots that may be smaller than what the current new lots would be required to have, amending the definition of a family, and rezoning these lots. He is not in favor of having another single family home becoming a student rental, but it meets the standards of review within our ordinance at this time and we have done this before for other properties.

Mayor Halverson pointed out the other important difference is that it is purely a zoning question and what is allowed and what is prohibited or what is allowed via a conditional use. When you have a property that is already zoned multifamily and you meet all of the requirements of the ordinance there is arguably no ground for us to deny this request. The core request in terms of what is being asked of on a property that is already zoned multifamily meets the ordinance, there are no exceptions. The problem with not authorizing the multifamily conditional use is now the owner can easily turn the house into a duplex, and we have no idea what is going on because we can't get into it. If it is licensed and specifically have said how many tenants and you do potentially have an issue, we can go into the property and inspect it based on the license, and if they don't meet it, you take away the license.

Motion by Commissioner Patton to approve the request from Salah Qutaishat for a conditional use permit to allow four unrelated persons in a single dwelling at 2316 Main Street (Parcel ID 2408-33-2016-08) with the following conditions:

- **A maximum of four unrelated persons shall reside at the property.**
- **The owner shall secure a multiple-family dwelling license, for 2013 and any future years.**

Seconded by Mayor Halverson. Motion carried 5-2, with Commissioner Haines and Commissioner Cooper voting in the negative.

7. Request from CCFS Group, LLC for a conditional use permit to construct an approximate 40-unit apartment building, using the "B-TID5" Tax Incremental District 5 standards, at **209 Division Street (Parcel ID 2408-29-4002-03).**

Jack Fischer, representative of CCFS Group, explained the project we are proposing is made up of a wonderful group of individuals who have significant expertise and background. The overall program is a 40 unit project, which was designed by the architectural firm he is affiliated with. The project is an outstanding design that complements the campus, the community surrounding the users, and demand and need of the community and the developer. When we first approached the community we were told there had been discussion around all of the parking related issues on behalf of the community. We had nothing to do with that conversation, the code that is being suggested is one we feel comfortable with and reasonable with to the parking scenario. The program we have suggested is a 40 unit initiative that incorporates one to five bedroom units. The Division Street location coupled next to the campus is an outstanding location to complement the University of Wisconsin Stevens Point. The architectural practice that he is affiliated with designed the latest UWSP dormitory and has been selected and works on numerous university campuses across Wisconsin. The existing site and this project has the ability to stimulate economic development for the Division Street corridor, complimenting the TIF initiative, that exists in the program and putting together a significant project and a major investment to fulfill some of the new growth of housing that is required in Stevens Point. We are working to meet or exceed the requirements that are in place. We are dealing with an outstanding landscape plan that is very aggressive, which exceed the majority of your present housing stock landscape design requirements. The ratio of traffic, the compliment of the building, the height considerations, the colors, and textures have all been considered by an extremely talented design team to work in a complement effort for the university, community, and surrounding area. We have taken into consideration the typical parking requirements of this kind of unit, and have found that the complement that we put in place will complement the needs of the users. The leasing groups that we work with understand these uses and buildings, and

understand how the leases need to be prepared, the kind of communication that needs to take place, the protocol, and how to control many of the environments that take place in typical buildings like this. This will be one of the largest non medical projects that are brought into this community, into the tax base complementing a need at the highest level. This is the kind of project that will give us the ability to continue to expand the ripple effect in the TIF corridor and through the actual Division Street corridor. The design meets all of the requirements that are relevant to local and state requirements, and we are looking for the opportunity to take a look at putting this in place for the community.

Commissioner Haines pointed out there were lots of comments when talking about the parking standards, and asked Mr. Fischer to talk about how that would be enforced. Mr. Fischer explained the leasing management group would deal with this. That is a typical conversation that takes place between the leasing participants and the potential users. The standards in most of these units are about one stall per unit. They have found the majority of students do not want to spend the time, the effort, the gas, the energy into that environment and very much welcome that kind of relationship. For those that cannot put that together, they typically look and move to a different location. It is literally managed by the leasing group with name, car, license plate, and license. She then asked about the bicycle parking and where do they expect the bikes to park. Mr. Fischer said they have incorporated in the design on the first floor a number of bike related parking stalls, which typically are incorporated into enclosed environments, and there is also a bike repair room as an amenity. With today's expense of bikes being so high we expect the majority will bring them into their apartment units. Commissioner Hoppe asked regarding parking enforcement, if the parking stalls would be numbered or how would that work. Mr. Fischer stated enforcement has been done both ways. Commissioner Haines asked if there would be an area for visitor parking, to which Mr. Fischer stated no. Commissioner Curless asked if the parking would be based on first come first serve, to which Mr. Fischer stated no, it would be worked through the lease. He then asked if the garage on the first floor will face Division Street, to which Mr. Fischer, stated you are brought into that unit through the parking lot and not the street. This was dealt with as the concern for the egress/ingress flow of traffic and safety hazards. He then asked if the building would look better on Division Street if you flipped it, or is that not possible. Mr. Fischer stated they had looked at that, and through a design team, it was thought that this approach would be best because we would not be bringing the traffic all the way through across the parking lot to the back end and the entering. By coming into the front we have the least amount of parking interaction across the front so that improves safety, and improves the overall flow and is a better decision.

Commissioner Cooper said there had been a style F with one bedroom, but on the floor plan it is not incorporated. Mr. Fischer stated originally they were dealing with a number of different scenarios, and there is no longer a one bedroom unit.

Commissioner Patton asked how many stalls the hotel has now verses how many rooms they have, and how much parking is going to be lost on the site. Mr. Fischer stated he does not have the answer at this time, but with the hotel/motel situation, some nights you have four people, and some nights you have fourteen people.

Reid Rocheleau, 408 Cedar Street, is opposed to the project and compared it to an unsupervised dorm. He has concerns for the five story building being surrounded by single story buildings, the way the application was filled out, and that it is out of style for this neighborhood.

Chief Kevin Ruder, Stevens Point Police Department, pointed out the city sells long term parking permits in municipal lot 8. As far as looking at this development from a perspective of a university parent, he feels this is a great option considering the conditions of some of the rental properties out there. When speaking with business owners surrounding the project, they were in support for this project, but did not want to get involved in the politics of the development. He supports this request.

Noah Eschenbauch, 2826 Hay Meadow Drive, asked why the codes have to change for this development to work, and why the landlords are told they are unable to improve their properties as they want.

Cindy Nebel, 1100 Phillips Street, is in agreement that there is a need for good housing for students, the location is good, but has concerns for the large five bedroom units, parking including visitor space parking, and the large amount of people residing in one area.

Cathy Dugan, 615 Sommers Street, is pleased with the opportunity for student housing, feels this is encouraging for rentals to return to single family homes, and the first floor parking. She did have concerns about the lack of green space, the number of stories and small windows, and how it would change the character of the area.

Jeff May, 21 Oakcrest, stated his concerns were this project was not a long term job producing project, putting a business label on this project and disregard the standards that our city requires to have these residents is unfair to everyone, parking is already an issue, this will adversely affect the liability of maintaining the other properties, and is against this project.

Mary Ann Laszewski, 1209 Wisconsin Street, feels we do not need to subsidize parking or grant a parking change for this request. We need to take ownership and monitor of our current housing stock. She does not see the economic benefit to the north side, the plan presented is just a conceptual layout, and is against this project.

Paul Wachowiak, 1620 Meadow View Lane, asked the commission to deny this request, due to the parking not being sufficient, too dense of population, and not being a service to our students.

Rich Sommer, 4224 Janick Circle, cited several facts regarding census data, Wisconsin public school enrollment, Wisconsin high school graduation history, new construction of apartment unit data, Portage County population, University of Wisconsin Stevens Point population, and the number of jobs in Portage County. He is against this project.

Henry Kroger, 3200 Water Street, feels the students can't wait to get out of the dorms, they need more green area, and they don't deserve to live in this small of area. He requested the commission to deny this project.

Barb Jacob, 1616 Depot Street, has concerns this development is too big for the area, feels the community and commission need to know the plan from the beginning to end including the financing, and that the commission is not getting the whole picture.

Mildred Neville, 1709 Jefferson Street, stated her concerns regarding the development and timeline of CCFS Group LLC, the guidelines to the application process, the large amount of people in a small space, and a lack of time for the public to look into the information presented. She feels this does not support a good quality of life for the students, that this project is set up to fail, and is against this project.

Director Ostrowski responded regarding the application stating that the applications are created by staff and are created to allow us the time needed to properly review and notice the items. In terms of the height requirement, the only reason the Plan Commission reviews this is because of the use being a conditional use. If it was permitted within that district, they would be allowed to go up to 125 feet, which is nearly double of the proposed plan. In 2008, the setback requirements were recommended by Plan Commission and confirmed by Common Council to change in TID 5 to encourage density, height, and closeness to the street, which is what this project does. Regarding the survey done within the staff report and vacancy rates, it is census data and those are their numbers. With other vacancy rates, the university suites are 100% full and the total occupancy rate at the residence halls are at 102%.

Mayor Halverson explained there is no question that the university's pressure, specifically on campus housing is going up and they are looking to construct new residential facilities for on campus housing. When looking only at graduation rates and assuming student population from a DPI perspective, you are missing the point that enrollment standards and the management plan that the university is looking at will now swell the university's population here above 10,000. The other thing that needs to be discussed is the university's interest in this property. They have expressed multiple times that they are interested in continuing to acquire just about any parcel they can get. Students are living all over the place, including Plover and they are living in multifamily zoned districts that do not require a conditional use review and ours does, which means it can be more stringent and we can look at more variables. We have statistics that are valid in that the single largest property management company, Candlewood, having a vacancy rate last year of 2% and this year 1.03%, with management of over 800 units. The reference that the market is going to take care of construction costs, it will on very inexpensive land. The financial part is up to the Common Council, but from a planning point of view this is the kind of project we want to encourage.

Director Ostrowski explained this provides the students an option for living, if they choose not to, that is up to them. This project promotes density, which is what was wanted in this area. As far as the size, there are a number of multi-story buildings next to single story homes. The only reason we have a chance to review is because it is a conditional use.

Mayor Halverson also explained the CCFS Group, LLC concerns; we were given that name as the LLC that would be provided, that was the name of the LLC that was disclosed on the agenda properly and correctly for the Finance Committee. When we were pushed by the media, which we acknowledge immediately that it was not specific enough, we released the names of the principals and the partners that have remained unchanged for the LLC that was finally created once that ownership group was solidified. That was an error on our part; we did not release it with a broad enough brush. We are not trying to hide anything, but we do need to preserve negotiations.

Motion by Commissioner Patton to approve the request from CCFS Group, LLC for a conditional use permit to construct an approximate 40-unit apartment building, using the "B-TID5" Tax Incremental District 5 standards, at 209 Division Street (Parcel ID 2408-29-4002-03) with the following conditions:

- **All applicable building permits shall be obtained.**
- **A recreational impact fee (currently calculated at $100.00 per unit) must be paid prior to the issuance of a building permit.**
- **The applicant must secure an annual multiple-family dwelling license.**

- **Fire connections shall be installed within each stairwell.**
- **A stormwater plan shall be submitted and reviewed by the Utilities Department and Public Works Department.**
- **A photometric plan shall be submitted by the developer to be reviewed and approved by the Community Development Department.**
- **Snow shall be removed from the site or stored in a location that does not impact drainage facilities, cause vision obstructions, or reduce parking spaces.**
- **The other two elevations (south and east) shall be of similar design materials, and color to those of the north and west.**
- **Minor changes to the plans, which still meet all applicable ordinance requirements, shall be allowed to be approved by staff.**
- **Changes to interior layouts, number of units, and number of bedrooms, which still meet all applicable ordinance requirements, shall be allowed to be approved by staff.**

seconded by Mayor Halverson.

Commissioner Cooper asked about the rectangular strip of land to the north of the university parking lot, and if it is that owned by the university, to which Director Ostrowski stated yes. He then stated it would be great to see this company work with the university to get pedestrian access, which was agreed to by Mayor Halverson. Mr. Cooper continued stating that he does not think this is a bad project in itself, but cannot vote to approve it tonight is because it is not a final plan, and even if it was, he does not like the staff recommendation of "Changes to interior layouts, number of units, and number of bedrooms, which still meet all applicable ordinance requirements, shall be allowed to be approved by staff." He thinks any changes especially in number of units and beds has got to come back to Plan Commission. Director Ostrowski said a lot of times we won't have interior layouts in multifamily, what he is looking at doing is providing the best mix that they can do within the internal structure, whether that is making more three bedrooms, or more five bedrooms. If you want to put a cap on the number of students in that facility, please do so, you can do that and interior layouts change frequently as they go through the architectural process. Commissioner Cooper stated he understands that, but that also affects parking and feels the parking is grossly underestimated.

Commissioner Hoppe asked if this could be tabled until January as he would feel more comfortable that way as well, to which Mayor Halverson stated it could be. Commissioner Patton added it is just a recommendation to the Common Council for December 16th, to which Mayor Halverson stated the Council would still be taking it up, the public hearing has been properly noticed. Commissioner Hoppe stated he liked the project, and the Council will have to deal with some of the other issues regarding financing, and he likes the overall thought and idea behind it; there is a demand and will be for a unique group of students.

Motion carried 5-2, with Commissioner Cooper and Alderperson Moore voting in the negative.

8. Adjourn.

Meeting Adjourned 9:44 PM.

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

[BUILDING AND PREMISES MAINTENANCE AND OCCUPANCY]

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

SECTION I: That Section 21.03(13) of the Revised Municipal Code of the City of Stevens Point shall be amended to read as follows:

(13) Parking shall be provided as indicated in the Zoning Code.

SECTION II: That Section 21.08(1)(b) of the Revised Municipal Code of the City of Stevens Point shall be amended to read as follows:

(b) Parking shall be provided as indicated in the Zoning Code.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: December 16, 2013
Adopted: December 16, 2013
Published: December 20, 2013

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

[PARKING AND LOADING STANDARDS]

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

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

14) Parking Standards

a) Applicability

1) Unless specifically exempted in this Zoning Code, all existing and proposed development shall provide parking facilities and manage access in accordance with this Zoning Code.

2) With the exception of restriping a parking area or other vehicular use area which does not result in a reconfiguration of the parking spaces, any modification to existing parking facilities shall conform to the requirements of this Zoning Code.

3) Buildings and uses lawfully existing as of the effective date of this Zoning Code may be renovated or repaired without providing additional parking facilities, provided there is no increase in gross floor area or change in use of existing floor area that would increase parking demand.

4) Where a building or use existed as of the effective date of this Zoning Code, and the building or use is enlarged in gross floor area or impervious area by 10 percent or 2,000 square feet, whichever is less, parking as specified in this Zoning Code shall be required for the enlarged area. The addition of an accessory building or structure shall be considered an enlargement of the building or use.

5) A change in use of a building or use existing as of the effective date of this Zoning Code shall require additional parking facilities to comply with the requirements of this Zoning Code for the new use unless the new use has the same parking requirement or a lesser requirement than the previous one.

b) General Provisions

1) Parking Required
No use shall provide less than the minimum number of parking spaces required under this Zoning Code. At the discretion of the property owner or occupier, a fee may be charged for required parking.

2) Location of Parking Spaces

Unless otherwise approved in an alternative parking plan under 23.01(14)(h) Alternative Parking Plan, parking spaces shall be located as set forth below.

a) Single- and Two-Family Building Types

   i. Required parking spaces shall be located on the same lot and shall not be located within the required front setback, except single- and two-family driveways leading to an approved parking area.

b) Apartment, Mixed Use, and Non-Residential Building Types

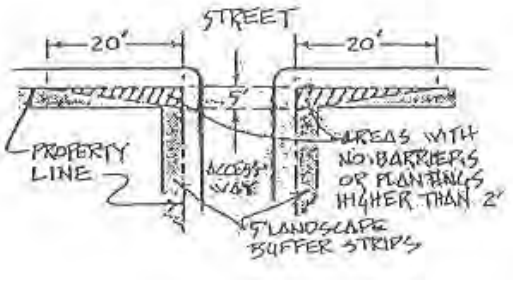
   i. All required parking spaces shall be located on the same site or on off-site land within 1,320 feet of the building, structure or use served (measured from the nearest point of the parking area to the nearest point of the building, structure or use served by such parking lot).

   ii. All off-street parking shall be arranged so that no vehicle is forced onto any public street to gain access from one parking aisle to another parking aisle.

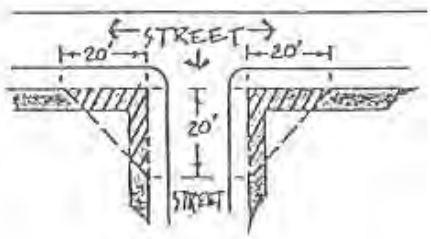
3) Clearview Requirements

a) When an accessway intersects a public right of way or when the subject property abuts the intersection of two or more public rights of way, all parking lots or vehicular use areas within the triangular area described below shall provide unobstructed cross-visibility, with no obstructions higher than two feet.

b) The areas of property on both sides of an accessway formed by the intersection of each side of the accessway and the public right of way line, consisting of 20 feet along the public right of way and five feet perpendicular to the line, and the third side being a line connecting the ends of the two other sides.



c) The area of property located at a corner formed by the intersection of two or more public rights of way with two sides of the triangular area being 20 feet in length along the abutting public right of way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two lines.



c) Parking Ratios

1) Calculation of Ratios

a) Mixed Uses

Developments containing more than one use shall provide parking spaces in an amount equal to the total of the requirements for all uses.

b) Fractional Measurements

Where fractional spaces result, the parking spaces required shall be the next highest whole number.

2) Minimum

The following minimum parking ratios apply to all zoning districts. Where in the opinion of a registered engineer in the State of Wisconsin, a listed ratio requires too much or too little parking, the applicant may provide an alternative parking plan with data submitted in support of higher or lower ratios.

3) Required Parking Ratios

Unless specifically reduced in 23.01(14)(d) Parking Reductions, the following parking ratios shall apply to all development.

	Specific Use	Minimum Parking
Residential		
Household living	Detached living	2.0 per unit
	Accessory dwelling	1.0 per unit
	Attached living	1.0 per unit
	Multifamily living or upper-story living	1.25 per each studio unit 1.50 per each 1 bedroom unit

		1.75 per each 2 bedroom unit 2.00 per each 3 bedroom unit and above
	Retirement community	1.0 per unit
	Senior housing	0.60 per attached unit 1.5 per detached unit
	All other uses	2.0 per unit
Group living	Assisted living or congregate care facilities	0.3 per bedroom
	All other uses	1.0 per 300 square feet of gross floor area
Social service	All uses	1.0 per 300 square feet of gross floor area
Public		
Parks & open space	All uses	As determined by ~~Administrator~~ Plan Commission and Common Council
Place of worship	All uses	1.0 per 4 seats in main worship space, if benches, 20 inches shall equal 1 seat
Port & terminal	All uses	1.0 per 225 square feet of gross floor area
Schools	Additions to existing schools 3-year high school 4-year high school Elementary or middle school	To be established by the Common Council 9.5 per classroom 7.5 per classroom 3.5 per classroom
Utilities	All uses	1.0 per 300 square feet of gross floor area (office)
Commerce		
Day care	All uses	1.0 per 300 square feet of gross floor area
Indoor recreation	Auditorium	1.0 per 4 seats or 1.0 per 75 square feet of gross floor area (whichever is greater) + 1.0 per 100 square feet of gross floor area of conference, banquet, restaurant
	Bowling alley	5.0 per alley + 1.0 per 100 square feet of gross floor area of conference, banquet, restaurant
	Theaters	1.0 per 4 seats
	All other uses	1.0 per 200 square feet of gross floor area
Medical	Hospital	0.50 per bed
	Medical, dental office or chiropractor	1.0 per 300 square feet of gross floor area
	All other uses	1.0 per 300 square feet of gross floor area
Office	With drive thru service	1.0 per 350 square feet of gross floor area
	Without drive thru service	1.0 per 300 square feet of gross floor area
Outdoor recreation	Campground, travel trailer park, RV park	1.0 per space

	Golf course or country club	3.0 per hole + 2.0 per court
	Horse stable, riding academy equestrian center	1.0 per each 5 stalls
	Stadium or arena	1.0 per 4 seats
	All other uses	1.0 per 5,000 square feet (outdoor use area)
Overnight lodging	All uses	1.0 per guest room + 1.0 per 100 square feet of conference, banquet, restaurant
Personal service	Barber and beauty shops	1.0 per 100 square feet of gross floor area
	Funeral home or mortuary	1.0 per 4 seats or 1 space per 60 square feet of gross floor area (whichever is greater)
	If less than 4,000 square feet of gross floor area	1.0 per 500 square feet of gross floor area
	All other uses	1.0 per 300 square feet of gross floor area
Restaurant/Bar	All uses	1.0 per 100 square feet of gross floor area
Retail sales	Gas and service stations	1.0 per 200 square feet of gross floor area
	If less than 2,000 square feet of gross floor area	1.0 per 500 square feet of gross floor area
	All other uses	1.0 per 300 square feet of gross floor area
Vehicle sales	All uses	1.0 per 500 indoor square feet of gross floor area + 1.0 per 10,000 square feet outdoor lot area
Vehicle service	All uses	3.0 per bay or 1.0 per 250 square feet of gross floor area, as applicable whichever is greater
Water-oriented	All uses	1.0 per every 3 wet or dry slips
Industrial		
Heavy industrial	All uses	1.0 per 600 square feet of gross floor area (office) + 1.0 per 4,000 square feet of gross floor area
Light industrial	All uses	1.0 per 600 square feet of gross floor area (office) + 1.0 per 4,000 square feet of gross floor area
Research & development	All uses	1.0 per 300 square feet of gross floor area (office)
Self-service storage	All uses	1.0 per 250 square feet of gross floor area (non-storage) + 1.0 per every 50 storage units
Trucking terminal	All uses	1.0 per 700 SF square feet of gross floor area
Warehouse & distribution	All uses	1 per 500 square feet of gross floor area (office) + 1 per 4,000 square feet indoor storage area
Waste-related service	All uses	1.0 per 250 square feet of gross floor area (office) + 1.0 per 4,000 square feet of gross floor area

Wholesale trade	All uses	1.0 per 250 square feet of gross floor area (office) + 1.0 per 4,000 square feet of indoor storage

4) Maximum

a) No use shall provide more than 150 percent of the required parking shown in the table above unless any parking above the 150 percent threshold is provided on pervious surface or as underground or structured parking.

b) Where a project is intended to be developed in phases, the ~~Administrator~~ Plan Commission and Common Council may approve development of a parking area intended to serve current and future development.

5) Unlisted Uses

The parking space requirements for a use not specifically listed in the table shall be the same as for the listed use deemed most similar to the proposed use by the Administrator.

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6) Administrative Modification

The Plan Commission and Common Council ~~Administrator~~ may reduce the required number of spaces by up to five percent for reasons of topography, tree protection or other natural conditions specific to the site.

7) Credit for On-Street Spaces

On-street parking spaces located immediately abutting the subject parcel, lying entirely within the extension of the side lot lines into the roadway and not within any required clear sight distance, may be counted toward meeting these parking requirements.

d) Parking Reductions

Parking may be reduced according to the following standards.

1) Bus Transit Availability

Locations within a 1,320-foot walking distance of a bus stop may reduce the total number of required parking spaces by 15 percent. Walking distance is measured from the primary entrance of the use to the bus boarding location.

2) Provision of Structured Parking

Where parking is provided entirely in a structure on a lot, the required total number of spaces may be reduced by 10 percent.

3) Access to Car-Sharing Program

A residential project or a mixed use project with a residential component providing an active car-share program may reduce the total number of required parking spaces. The reduction shall equal five spaces per car-share vehicle available on-site to residents of the project.

4) Tree Preservation

The Plan Commission and Common Council ~~Administrator~~ may approve a reduction in the total number of required parking spaces by one space for every tree over 24 inches in diameter at breast height preserved within the parking area. The maximum reduction allowed for tree preservation is five percent of the total required parking spaces.

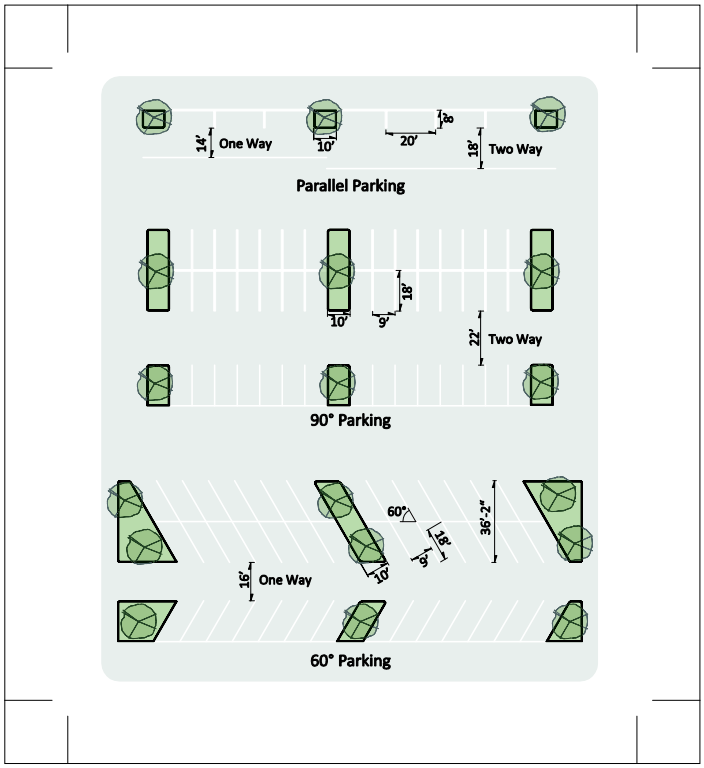
5) Designated Downtown

No parking is required in a designated downtown area. Where parking is provided, it must meet the dimensional standards of this Zoning Code.

e) Parking Area Design Standards

1) Parking Space Layout

a) Parking space layout shall meet the following dimensions.



b) Parking spaces using geometric standards other than those specified above may be approved by the City Engineer, subject to a determination by the Administrator that the proposed facility will satisfy these parking requirements as well as would a facility using the dimensions specified above.

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c) Compact spaces may be substituted for no more than 25 percent of the total number of off street parking spaces required. Where provided, compact spaces shall be a minimum of seven feet, six inches in width and 15 feet in length.

2) Parking Pods

Parking areas shall be organized into parking pods that are separated by the following perimeter landscaping and island plantings. Where parking areas are screened by a building, they shall not require screening on that side of the parking pod. Island landscaping may be waived if there are less than 50 spaces or if the perimeter landscaping is double in width. Such width shall not need to exceed 50 feet. Such modifications must be approved by the Administrator.

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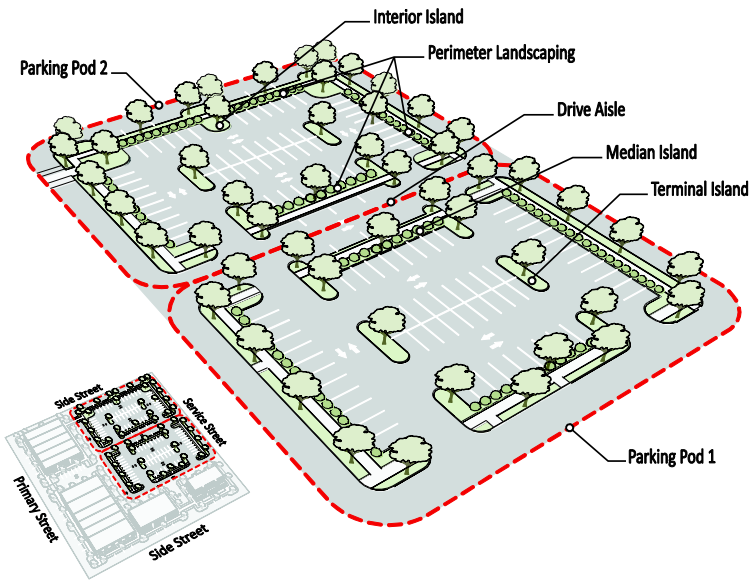

a) Perimeter Landscaping

i. Perimeter landscaping shall be a minimum of five feet wide, landscaped with one canopy or evergreen tree for every 50 linear feet (spaced a maximum of 75 feet apart) and shrubs installed at a rate of one for every 15 square feet of landscaped area.

ii. An opaque fence a minimum of 30 inches located in a three-foot planting strip may be substituted for the shrubs.

b) Interior Islands

i. An interior landscaped island shall be provided for every 25 spaces per parking row. Each island shall contain a minimum of 200 square feet with a minimum width of eight feet inside the curb and include a minimum of one canopy or evergreen tree.

ii. Interior islands shall be distributed throughout the parking area, with no parking space located more than 200 feet from a planting island.

iii. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees where approved by the Plan Commission and Common Council~~Administrator~~.

c) Terminal Islands

All rows of spaces shall terminate in a curbed landscaped island. Each island shall conform to the specifications described for interior islands above.

d) Median Islands

i. A median island with a minimum width of eight feet inside the curb shall be sited between every eight single parking rows and along primary internal and external access drives.

ii. Each median island shall be planted at the rate of one canopy or evergreen tree for every 50 linear feet (spaced a maximum of 75 feet apart).

iii. Median intervals may be expanded in order to preserve existing trees, where approved by the Plan Commission and Common Council~~Administrator~~.

iv. A median island may also serve as the location for a sidewalk connecting the use and the street. In such case, the sidewalk shall be a minimum of five feet wide, and the remaining planting area shall be no less than five feet wide.

e) Landscaping Specifications

i. General

a) Plant material shall be true to name, variety, and size and shall conform to all applicable provisions of the American Standards for Nursery Stock, latest edition.

b) Plant materials shall be cold hardy for the specific location where they are to be planted.

c) Trees and shrubs shall be salt-tolerant in areas immediately adjacent to parking lots.

d) Trees and shrubs shall be drought-tolerant and able to survive on natural rainfall once established with no loss of health.

ii. Canopy Trees

a) Canopy trees selected for planting shall meet the minimum requirements provided in the American Standard for Nursery Stock, latest edition as published by the American Nursery & Landscape Association.

b) All single trunk trees shall have a minimum 2½-inch caliper, and must measure a minimum of 10 feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.

c) Multi-trunk trees shall have main stems with a minimum 1½-inch caliper per trunk, a minimum of three main stems, and must measure a minimum of 10 feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.

iii. Evergreens

a) Evergreens selected for planting shall meet the minimum requirements provided in the American Standard for Nursery Stock, latest edition as published by the American Nursery & Landscape Association.

b) All evergreens must measure a minimum of three feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.

iv. Shrubs

a) Shrubs selected for planting shall meet the minimum requirements provided in the American Standard for Nursery Stock, latest edition as published by the American Nursery & Landscape Association.

b) All required shrubs shall be a minimum of 20 inches in height in a minimum three-gallon container.

c) Shrubs shall be of a species that under average conditions will reach a minimum height of 24 inches within 12 months.

d) When planted as a hedge, the maximum spacing for 20-inch high shrubs shall be 36 inches on center. Spacing for other size shrubs shall be determined by the Administrator.

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e) Other plantings may be substituted for shrubs if they provide similar screening. Such substitutions must be approved by the Administrator.

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v. Credit for Existing Plant Material

a) Required landscaped areas may incorporate existing natural vegetation to the maximum extent feasible. Prior to disturbance of a required planting area, approval shall be obtained from the Administrator. Where existing vegetation is inadequate to meet the required landscaping standards, additional plant material shall be required.

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b) Existing native habitat or vegetation located within planting areas and meeting the requirements of this Zoning Code may be counted.

c) In the event that the existing vegetation has been credited and is subsequently removed or dies, it shall be replaced with the appropriate planting material.

d) Credit may also be permitted for existing plant material, fences and walls on abutting property, provided such items are in a permanently protected area, including, but not limited to:

1. A conservation easement or preserve area on adjacent property; or

2. An existing utility or drainage easement exceeding 100 feet in width.

vi. Irrigation

A water source shall be supplied within 100 feet of any planting requiring continuing watering. Where non-native or non-drought tolerant native vegetation is incorporated, an irrigation system shall be required.

f) Maximum Parking Area Pod Size

Parking areas shall be broken up by landscaped area, tree islands, and buildings into pods containing no more than 160 parking spaces.

g) Accessible Parking

Accessible parking shall be provided in compliance with the Americans with Disabilities Act Accessibility Guidelines.

h) Surfacing

i. Surfacing Required

Except as provided below, where parking facilities or any other vehicular use area are provided, they shall be surfaced with asphalt bituminous, concrete or dustless material approved by the Administrator, and shall be maintained in a smooth, well-graded condition.

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ii. Pervious Parking Surfaces

a) All parking spaces may be surfaced with pervious parking surface that is engineered for parking or driveways.

b) Where an existing tree is adjacent to parking; paver bricks or other pervious surface shall be used within the dripline of the tree. No parking shall be located closer than five feet from the trunk of an existing tree.

c) Where provided, pervious parking surfaces shall be maintained in a sound, well-graded condition.

i) Setback

i. All off-street parking must observe the required parking setback for the appropriate zoning district identified below.

a) Street Right of Way Setback

District	Distance
“C" - Conservancy	30 feet
"R-LD" - Low Density	30 feet
"R-1" - Suburban Single Family Residential	25 feet
"R-2" - Single Family Residential	25 feet
"R-3" - Single and Two Family Residential	25 feet
"R-4" - Multiple Family I Residential	25 feet
"R-5" - Multiple Family II Residential	15 feet
"B-1" - Neighborhood Business	5 feet
"B-2" - Central Business Transition	5 feet
"B-3" - Central Business	5 feet
"B-4" - Commercial	5 feet
“B-5" - Highway Commercial	30 feet from Highway 10 5 feet from other streets
"M-1" - Light Industrial	5 feet

"M-2" - Heavy Industrial	5 feet
"U-1" - University	5 feet

b) Side and Rear Yard Setback

District	Distance
“C" - Conservancy	10 feet
"R-LD" - Low Density	10 feet
"R-1" - Suburban Single Family Residential	10 feet
"R-2" - Single Family Residential	10 feet
"R-3" - Single and Two Family Residential	10 feet
"R-4" - Multiple Family I Residential	10 feet
"R-5" - Multiple Family II Residential	10 feet
"B-1" - Neighborhood Business	5 feet
"B-2" - Central Business Transition	5 feet
"B-3" - Central Business	5 feet
"B-4" - Commercial	5 feet
“B-5" - Highway Commercial	5 feet
"M-1" - Light Industrial	5 feet
"M-2" - Heavy Industrial	5 feet
"U-1" - University	5 feet

ii. In the event any parking abuts a walkway, sidewalk or street, the parking shall be separated by curbing or other protective device.

iii. All parking shall be separated from buildings by a minimum distance of three feet.

j) Striping

All parking areas over 2,000 square feet or containing more than five individual off-street parking spaces, shall stripe their required parking spaces.

k) Curbs

Where parking facilities or any other vehicular use areas are provided, they shall have curbs or wheel stops to prevent vehicles from overhanging adjacent property or landscaped areas. Where vehicles will overhang over medians or islands, shrubs and trees shall be planted a minimum of two feet from back of the curb or wheel stop. Where pervious parking surfaces or swales are provided, the Administrator may allow wheel stops in place of curbs. The Administrator may waive the curb requirement if an adequate or superior measure is used to protect the landscaped areas.

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l) Drainage

Where possible, a portion of the drainage from parking areas should be drained through swales that include deep rooted perennial ornamental grasses.

f) Bicycle Parking

In order to enhance multi-modal transportation opportunities, the following standards for bicycle parking shall be met.

1) Apartment, mixed use, and non-residential development providing more than 20 vehicle but less than 100 vehicle parking spaces shall be required to provide six bicycle parking spaces. An additional one bicycle parking space shall be provided for each additional 25 vehicle parking spaces, or fraction thereof. A minimum of four and a maximum of 24 bicycle parking spaces shall be required under this paragraph.

2) Bicycle parking facilities shall be located within 120 feet of the main building entrance, unless approved by the Plan Commission and Common Council~~Administrator~~.

3) Bicycle parking facilities shall be of high-quality type construction that:

   a) Supports the bicycle upright by its frame in two places;

   b) Prevents the wheel of the bicycle from tipping over;

   c) Enables the frame and one or both wheels to be secured;

   d) Supports bicycles without a diamond-shaped frame with a horizontal top tube;

   e) Allows front-in parking: a U-lock should be able to lock the front wheel and the down tube of an upright bicycle; and

   f) Allows back-in parking: a U-lock should be able to lock the rear wheel and seat tube of the bicycle.

4) Bicycle parking facilities should be designed to have the following minimum area and spacing requirements:

   a) The separation between the rack and any wall or barrier shall be 24 inches;

   b) The racks shall be placed 30 inches on center;

   c) The separation between aisles shall be 48 inches; and

   d) The depth of each row shall be 72 inches.

5) Alternative bicycle parking facility standards may be approved by the Plan Commission and Common Council ~~Administrator~~ where they are functionally equivalent to the most recent version of the Bicycle Parking Guidelines from the Association of Pedestrian and Bicycle Professionals.

g) Constrained Sites

Alternative parking and landscaping standards may be approved by the Plan Commission and Common Council ~~Administrator~~ only where the required parking and landscaping in this Zoning Code cannot be physically met on the site for one of the following reasons:

1) Redevelopment of an existing site requires parking or landscaping to be added, but a building, pavement or stormwater facility already exists; or

2) Redevelopment of an existing site would reduce the number of stalls below the required number for the use or reduce aisle widths below the recommended standard; or

3) The existing site has lost area from landscaping due to adjacent road widening or other right-of-way infrastructure improvements.

h) Alternative Parking Plan

1) Applicant-Submitted Parking Data
The Plan Commission, with~~out~~ Common Council approval, may modify the parking requirements of this Zoning Code when an applicant submits parking data, prepared and sealed by a registered engineer in the State of Wisconsin, which illustrates that the standards of this Zoning Code do not accurately apply to a specific development. The data submitted for an alternative parking plan shall include, at a minimum, the size and type of the proposed development, the mix of uses, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads of all uses.

2) Off-Site Parking
The Plan Commission and Common Council ~~Administrator~~ may approve the location of required parking spaces on a separate lot from the lot on which the principal use is located if the off-site parking complies with the all of following standards.

a) Ineligible Activities

i. Off-site parking may not be used to satisfy the off-street parking requirements for convenience stores or other convenience-oriented uses.

ii. Required parking spaces reserved for persons with disabilities may not be located off-site.

b) Location
Off-site parking spaces shall be located within 1,320 feet from the primary entrance of the use served unless shuttle bus service is provided to the remote parking area.

c) Zoning Classification
Off-site parking areas shall be located within a district which would permit the use to which such parking is accessory.

d) Agreement

i. In the event that an off-site parking area is not under the same ownership as the principal use served, a legally binding written agreement between

the record owners of the property establishing the duration and conditions associated with the off-site parking.

ii. An off-site parking agreement may be rescinded only if all required off-street parking spaces will be provided in accordance with this Zoning Code.

3) Shared Parking

The Plan Commission and Common Council ~~Administrator~~ may allow shared parking facilities if the shared parking complies with all of the following standards:

a) Ineligible Activities

Required parking spaces reserved for persons with disabilities may not be located off-site.

b) Location

Shared parking spaces shall be located within 1,320 feet of the primary entrance of all uses served, unless shuttle bus service is provided to the parking area.

c) Zoning Classification

Off-site parking areas shall be located within a district which would permit the use to which such parking is accessory.

d) Shared Parking Study

Applicants shall submit a shared parking analysis to the Plan Commission and Common Council ~~Administrator~~ that clearly demonstrates the feasibility of shared parking. The study shall address, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking for all uses that will be sharing the parking spaces.

e) Agreement

i. A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Administrator.

ii. A shared parking agreement may be rescinded only if all required off-street parking spaces will be provided in accordance with this Zoning Code.

4) Valet Parking

The Plan Commission and Common Council ~~Administrator~~ may approve valet parking as a means of satisfying parking requirements if the valet parking meets all of the following standards:

a) Adequate assurance of the continued operation of the valet parking is provided, such as a contractual agreement for valet services or the tenant's affidavit agreeing to provide such services.

b) An equivalent number of valet spaces are available to replace the required parking spaces. Such valet spaces do not require individual striping, and may take into account the tandem or mass parking of vehicles.

c) Valet parking drop-off locations shall meet the requirements for stacking areas.

d) The design of the valet parking shall not cause customers who do not use the valet service to park off-premise or cause queuing in the right-of-way.

5) Recording of Approved Plans
An attested copy of an approved alternative parking plan and any associated agreements shall be recorded in the Portage County Register of Deeds Office. The applicant shall provide proof of recording prior to the final inspection.

6) Amendments
An alternative parking plan may be amended by following the same procedure required for the original approval.

i) Site Access

1) General Standards

a) All buildings shall be located on a site abutting a public or private street.

b) Unless otherwise approved by the City Engineer, all liner buildings must take vehicular access from within the site.

c) Unless otherwise approved by the Administrator, all apartment, mixed use, and non-residential sites abutting an arterial street must provide a shared access easement with a minimum paving width of 22 feet when abutting another apartment, mixed use, or non-residential property.

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d) No vehicle or obstacle may block driveways intended for use as a fire lane, or cross-access easement.

e) All driveways shall be surfaced with asphalt bituminous, concrete or dustless material approved by the Administrator, and shall be maintained in a smooth, well-graded condition.

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2) Access to Arterial Streets

a) Direct driveway access from any lot to an existing or proposed arterial street shall be prohibited unless approved by the City Engineer.

b) When an apartment, mixed use, or non-residential site is abutting an existing or proposed arterial street, access to the arterial street may be limited by one of the following means:

i. Driveway access between the site and an arterial street may be located no closer than 300 feet to any other proposed or existing intersecting arterial;

ii. Sites may be subdivided so as to provide access onto a frontage road; or

iii. Approval of driveway access between a site and the arterial at an interval less than those specified may be granted only by review and recommendation of the City Engineer.

3) Driveways for Residential Uses

a) Alley Access Required

i. When an improved alley is provided, all vehicular access shall take place from the alley. Access may be taken from the side street on corner lots.

ii. All lots 40 feet or less in width are required to take vehicular access from a rear alley. In the event that a lot existing at the time of the effective date of this Zoning Code is less than 40 feet in width and does not abut an alley, then the lot may take vehicular access from the street.

b) Width of Driveways

i. Driveways on lots less than 35 feet in width may be no less than nine feet and no more than 12 feet in width in the required front setback.

ii. Driveways serving on lots greater than 35 feet in width may be no less than nine feet and no more than 20 feet in width in the required front setback.

iii. Driveways shall be measured at the face of the walk, or right-of-way in rural sections.

c) Location of Driveways

i. Unless otherwise approved or required by the City Engineer, non-alley loaded residential driveways may be no closer than 30 feet from any other driveway and no closer than three feet to any side lot line.

ii. Unless otherwise approved or required by the City Engineer, non-alley loaded driveways may intersect a street no closer than 20 feet from the intersection of two street right-of-way lines and no closer than 50 feet from the intersection of an arterial street.

iii. Unless otherwise approved or required by the City Engineer, driveways shall be at least five feet from hydrants and utility poles/structures.

4) Driveways for Apartment, Mixed Use, and Non-Residential Uses

a) Alley Access Required

When an improved alley is provided, all vehicular access shall take place from the alley. Access may be taken from the side street on corner lots.

b) Width of Driveways

i. Unless otherwise approved or required by the City Engineer, the width of a driveway shall be no less than nine feet and no more than 35 feet in width. If a driveway is wider than 35 feet, it shall be curbed at the right-of-way to the edge of pavement on both sides of the driveway.

ii. Driveways shall be measured at the face of the walk, or right-of-way in rural sections.

c) Location of Driveways

i. A platted lot shall be permitted the number of driveways identified in the table below. The City Engineer may approve or require additional driveways. Such determination shall consider site design, pedestrian and vehicle circulation, adjacent uses, topography, speed of traffic on adjacent roads, and other such considerations.

Total Site Frontage	Number of Driveways (max)
200 feet of frontage or less	1
201 feet to 400 feet of frontage	2
401 feet to 600 feet of frontage	3
601+ feet of frontage	4

ii. Driveways shall be separated by a distance not less than 150 feet measured centerline to centerline of the driveways. In the event that an infill lot is unable to meet this separation requirement due to the location of existing driveways on adjacent lots, the infill lot shall be permitted one driveway.

iii. Unless otherwise approved or required by the City Engineer, the permitted driveway for a corner lot shall connect to the street with the lower roadway classification.

iv. Unless otherwise approved or required by the City Engineer, non-alley loaded driveways may intersect a street no closer than 50 feet from the intersection of two street right-of-way lines and no closer than 100 feet from the intersection of an arterial street. If a greater distance is required by the Wisconsin Department of Transportation, as indicated in their most recent Facilities Development Manual, that distance shall be provided, unless otherwise approved by the City Engineer.

v. Driveways shall be contained entirely within the property frontage or as part of a joint access easement with an adjacent platted property.

vi. Unless otherwise approved or required by the City Engineer, driveways shall be at least five feet from hydrants and utility poles/structures.

j) Stacking

The following stacking standards shall apply unless otherwise expressly approved by the Plan Commission and Common Council~~Administrator~~. The Plan Commission and Common Council ~~Administrator~~ may require additional stacking spaces where trip generation rates suggest that additional spaces will be needed.

1) Minimum Number of Spaces

Off-street stacking spaces shall be provided as follows:

Facility	Spaces (min)	Measured From
Automated teller machine	3	Machine
Bank teller lane	4	Teller or window
Car lubrication stall	2	Entrance to stall
Car wash stall, automated	4	Entrance to wash bay
Car wash stall, hand-operated	3	Entrance to wash bay
Day care drop off	3	Passenger loading area
Parking area, controlled entrance	4	Key code box
Restaurant drive through	6	Order box
Restaurant drive through	2	Order box to pick-up window
Valet parking	3	Valet stand
School (public and private)	*	Determined by Plan Commission and Common Council~~Administrator~~
Other	*	Determined by Plan Commission and Common Council~~Administrator~~

2) Design and Layout

Required stacking spaces are subject to the following design and layout standards:

a) Dimensions

Stacking spaces shall be a minimum of nine feet by 20 feet in size.

b) Location

Stacking spaces shall not impede on- or off-site traffic movements or movements into or out of parking spaces.

c) Design

Stacking spaces shall be separated from other internal driveways by raised medians if deemed necessary by the Administrator for traffic movement and safety.

SECTION II: That Section 23.01(15) of the Revised Municipal Code of the City of Stevens Point shall be amended to read as follows:

15) Off-Street Loading

a) Loading Facilities Required

1) Off-street loading facilities shall be required for uses that regularly handle large quantities of goods, as determined by the Plan Commission and Common Council~~Administrator~~. Loading facilities shall be of sufficient quantity to adequately serve the proposed use.

2) Any vehicle sales or rental facility or similar use requiring delivery of vehicles by truck shall demonstrate adequate on-site area exists for the loading and unloading of such trucks.

3) Any convenience store or similar use requiring deliveries by truck shall demonstrate adequate on-site area exists for the loading and unloading of such trucks.

b) Design and Layout

1) With the exception of designated downtown areas, loading and unloading activities shall not be permitted in any public right-of-way.

2) With the exception of designated downtown areas, loading and unloading activities may not encroach on or interfere with the public use of streets, sidewalks, and lanes by vehicles or pedestrians. Adequate space shall be made available for the unloading and loading of goods, materials, items, or stock for delivery and shipping.

3) Where off-street loading facilities are provided, they shall be not less than 15 feet in width by 60 feet in length, with not less than 15 feet of vertical clearance.

4) All loading areas shall be screened from view from public right-of-way and adjacent residential districts.

SECTION III: That Section 23.04(2) of the Revised Municipal Code of the City of Stevens Point shall add the following terms and definitions:

Administrator - The person or office designated by the Common Council and charged with certain tasks including but not limited to interpreting the provisions of this Zoning Code, and other duties prescribed under this Zoning Code.

Arterial Street – As designated on the most recent Wisconsin Department of Transportation Functional Classification Map.

Caliper – The diameter of plant material, measured at six inches above grade.

City Engineer – A registered engineer in the State of Wisconsin designated by the Common Council, and or his/her designee.

Easement - A grant of one or more of the property rights by the owner to, or for the use by, the public, a corporation, or another person or entity.

Pervious Parking Surface - Parking surface which is engineered to allow the infiltration of water, air, and nutrients to root systems of adjacent plant material which lie directly under the ground. Loose gravel is not a pervious parking surface.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: December 16, 2013
Adopted: December 16, 2013
Published: December 20, 2013

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

[ZONING CODE – CONDITIONAL USE LANDSCAPE STANDARDS]

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

SECTION I: That Section 23.01(16)(c)(14)(d) of the Revised Municipal Code of the City of Stevens Point shall be amended to read as follows:

> *(d) Adjustments to the above requirements may be made to (1) recognize existing landscape elements preserved on site, or (2) if in the opinion of the City Forester, ~~would create~~ more effective landscaping can be achieved on the site ~~in~~with regards to proper spacing, maturity, or species design.*[1]

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: December 16, 2013
Adopted: December 16, 2013
Published: December 20, 2013

[1] The highlighted section above is what the plan commission had recommended. I would further suggest the underlined/strikethrough changes to clear up any confusion regarding the intent of the ordinance.

RESOLUTION

[2316 MAIN STREET]
[MULTIPLE FAMILY DWELLING]

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 the **2316 Main Street (Parcel ID 2408-33-2016-08),** this property being zoned "R-4" Multiple Family I Residence District, and described as LOTS 10 & 11 BLK 12 BOYINGTON & ATWELL 3RD ADD S33 T24 R8 722147, City of Stevens Point, Portage County, Wisconsin, hereby be granted a Conditional Use Permit to allow four unrelated persons in a single dwelling unit, with the following conditions:

1. A maximum of four unrelated persons shall reside at the property.
2. The owner shall secure a multiple-family dwelling license, for 2013 and any future years.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: December 16, 2013
Adopted: December 16, 2013

Drafted by: Michael Ostrowski
Return to: City Clerk

RESOLUTION

[209 DIVISION STREET – CONSERVATION PLACE]

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 the **209 Division Street (Parcel ID 2408-29-4002-03),** This property being zoned "B-4" Commercial District, and described as THE S 200' OF THE N 433.1' OF THE W 250' OF THE NE SE & ALSO INCL PT VACATED DIVISION ST DES 725572 S29 T24 R8 576945 680648, City of Stevens Point, Portage County, Wisconsin, hereby be granted a Conditional Use Permit to allow the construction of an approximate 40-unit apartment building, using the "B-TID5" Tax Incremental District standards as shown on the attached plans, with the following conditions:

1. All applicable building permits shall be obtained.
2. A recreational impact fee (currently calculated at $100.00 per unit) must be paid prior to the issuance of a building permit.
3. The applicant must secure an annual multiple-family dwelling license.
4. Fire connections shall be installed within each stairwell.
5. A stormwater plan shall be submitted and reviewed by the Utilities Department and Public Works Department.
6. A photometric plan shall be submitted by the developer to be reviewed and approved by the Community Development Department.
7. Snow shall be removed from the site or stored in a location that does not impact drainage facilities, cause vision obstructions, or reduce parking spaces.
8. The other two elevations (south and east) shall be of similar design materials, and color to those of the north and west.
9. Minor changes to the plans, which still meet all applicable ordinance requirements, shall be allowed to be approved by staff.
10. Changes to interior layouts, number of units, and number of bedrooms, which still meet all applicable ordinance requirements, shall be allowed to be approved by staff.

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

Approved: _____

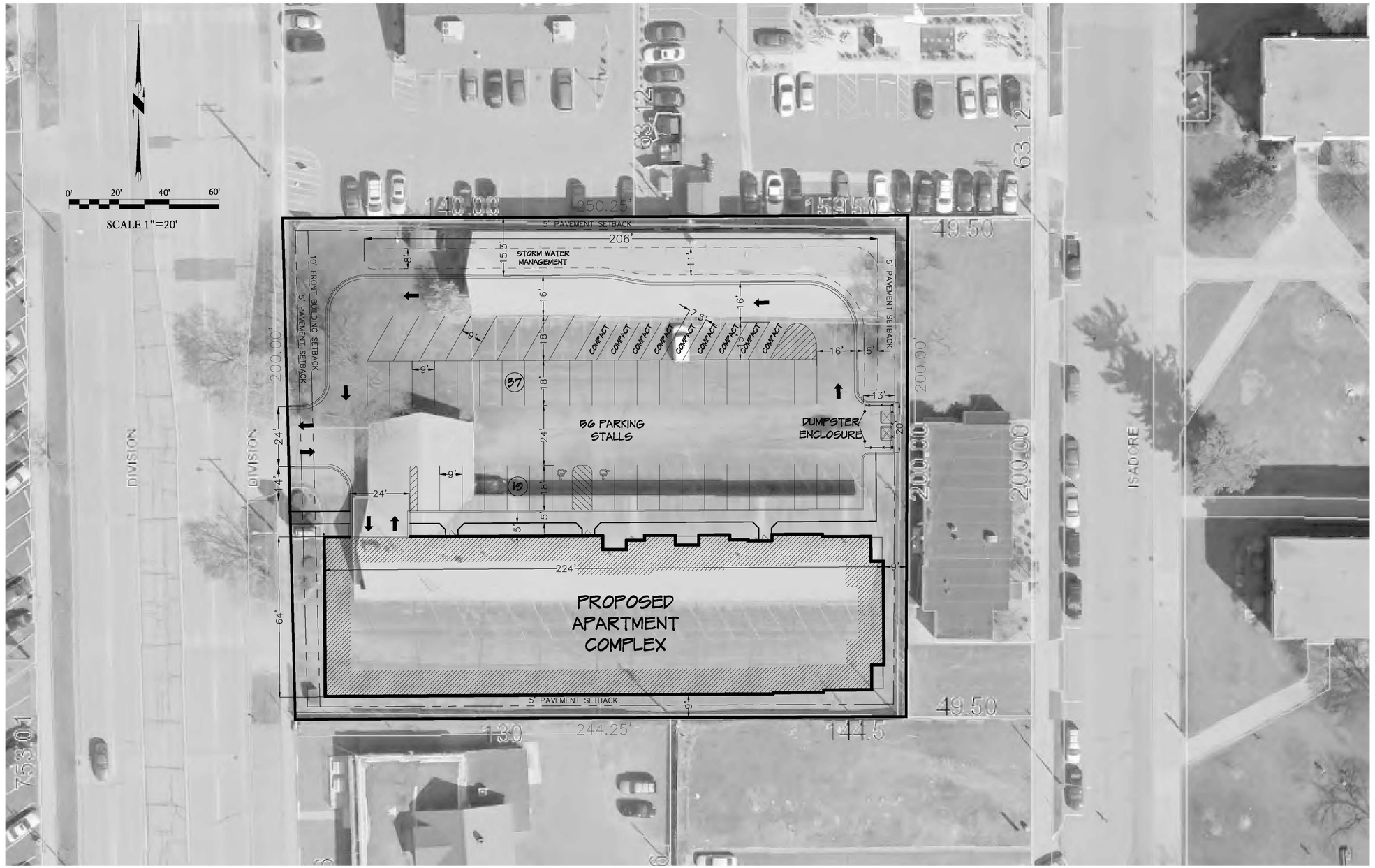
Andrew J. Halverson, Mayor

Attest: _____

John Moe, City Clerk

Dated: December 16, 2013
Adopted: December 16, 2013

Drafted by: Michael Ostrowski
Return to: City Clerk



NOTES:

* BASIC LOT STANDARDS INCLUDING SETBACKS, GREEN SPACE REQUIREMENTS, AND PARKING STALL REQUIREMENTS ARE TAKEN FROM THE CITY OF STEVENS POINT ZONING CODE.
* PLEASE NOTE THAT THIS PLAN IS STRICTLY CONCEPTUAL IN NATURE. THE PLAN HAS NOT BEEN FORMALLY APPROVED BY THE CITY OF STEVENS POINT AND OTHER GOVERNING BODIES HAVING JURISDICTION OVER THIS PROPERTY. ANY LOT DIVISIONS, CURB CUTS, STORM WATER MANAGEMENT FACILITIES, AND SITE PLANS SHOWING BUILDING SETBACKS AND PARKING WILL REQUIRE FORMAL APPROVAL.
* THIS SITE MAP IS NOT A SURVEY AND IS NOT BASED ON ANY TOPOGRAPHIC INFORMATION.
* THE INFORMATION PROVIDED ON THIS SITE MAP ARE FOR INFORMATIONAL PURPOSES ONLY AND ITS ACCURACY SHOULD BE VERIFIED PRIOR TO USE. NOT FOR CONSTRUCTION PURPOSES.

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REVISIONS

CHECKED:	SCOTT GROHOLSKI
DRAWN:	MELISSA KLUCK
DATE	11-19-13
PROJECT NO.	13.097T

CONSERVATION PLACE

209 DIVISION STREET
STEVENS POINT, WISCONSIN

GENERAL CONTRACTOR:

PROJECT MANAGER:
CCFS Group, LLC
Developers, Leasing Agent
Madison, WI

CIVIL ENGINEER:
Land Surveying
Engineering
Landscape Architecture
5709 Windy Drive, Suite D
Stevens Point, WI 54482
715.344.9999(Ph) 715.344.9922(Fx)

Point of Beginning

C101

0' 20' 40' 60'

SCALE 1"=20'

CONCEPTUAL LANDSCAPE PLAN

GENERAL NOTES:

1. CONTACT DIGGER'S HOTLINE 5 WORKING DAYS PRIOR TO THE START OF DEMOLITION/CONSTRUCTION.
2. 6" OF TOPSOIL SHALL BE PROVIDED IN ALL GENERAL LANDSCAPE AREAS. LANDSCAPE CONTRACTOR SHALL VERIFY THAT SPECIFIED PLANTING SOIL DEPTH IS PRESENT PRIOR TO PLANTING.
3. SEED/FERTILIZE/CRIMP HAY MULCH ALL GENERAL LANDSCAPE AREAS DISTURBED DURING CONSTRUCTION.
4. ALL PLANT MATERIALS LISTED SHALL MEET THE STANDARDS OF THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION FOR THE SIZES GIVEN.
5. ALL TREES SHALL BE STAKED WITH A MINIMUM OF THREE STAKES.
6. EDG-KING LANDSCAPE EDGING OR EQUAL SHALL BE PLACED AROUND ALL LANDSCAPE BEDS.
7. 3" DEPTH SHREDDED HARDWOOD BARK MULCH SHALL BE PLACED IN ALL SHRUB PLANTING BEDS. COLOR TO BE SELECTED BY OWNER.
8. FILTER FABRIC SHALL BE PLACED BENEATH ALL BARK MULCH.
9. COORDINATE ALL LANDSCAPE WORK WITH GAS, ELECTRIC, (INCLUDING MAIN SERVICE, SITE LIGHTING, CONDUITS AND SIGNAGE) CABLE AND TELEPHONE CONSTRUCTION AND RESPECTIVE TRADES FOR THE INSTALLATION OF SAID UTILITIES.

PLANTING SCHEDULE:

TREES SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
AF	ACER X FREEMANNI 'SIENNA'	SIENNA GLEN MAPLE	2 1/2" CAL.	60'TX40'W	4
GT	GLEDITSIA TRIACANTHOS VAR. INERMIS 'IMPCOLE'	IMPERIAL HONEYLOCUST	2 1/2" CAL.	35'TX35'W	5
MA	MALUS 'ADIRONDACK'	ADIRONDACK CRABAPPLE	1 1/2" CAL.	18'TX10'W	7
MR	MALUS 'RED BARRON'	RED BARRON CRABAPPLE	1 1/2" CAL.	18'TX8'W	8
PP	PICEA PUNGENS 'HOOPSII'	HOOPSII SPRUCE	5'-6'T	60'TX20'W	8
TO	THUJA OCCIDENTALIS 'NIGRA'	DARK GREEN ARBORVITAE	4'T	20'TX8'W	17

SHRUBS SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
AM	ARONIA MELANOCARPA 'AUTUMN MAGIC'	AUTUMN MAGIC CHOKEBERRY	24"	4'TX4'W	25
BT	BERBERIS THUNBERGII 'BAILONE'	RUBY CAROUSEL BARBERRY	24"	3'TX3'W	24
CS	CORNUS SERICEA 'BAILEYI'	RED-TWIGGED DOGWOOD	36"	8'TX8'W	9
JC	JUNIPERUS CHINENSIS 'PFITZERIANA'	PFITZER JUNIPER	24"	4'TX6'W	49
JM	JUNIPERUS CHINENSIS 'MOUNTBATTEN'	MOUNTBATTEN JUNIPER	36"	13'TX6'W	24
PO	PHYSOCARPUS OPULIFOLIOUS 'DART'S GOLD'	DART'S GOLD NINEBARK	36"	4'TX4'W	16
SB	SYRINGA X 'BAILBELLE'	TINKERBELLE LILAC	36"	5'TX5'W	31
SJ	SPIRAEA JAPONICA 'ANTHONY WATERER'	ANTHONY WATERER SPIREA	20"	4'TX4'W	50
TM	TAXUS X MEDIA 'TAUNTONII'	TAUNTON YEW	24"	4'TX5'W	54

ORNAMENTAL GRASS SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
PV	PANICUM VIRGATUM 'SHENANDOAH'	SHENANDOAH SWITCH GRASS	24"	3'-4'T	35

PERENNIALS SYMBOLS	BOTANICAL NAME	COMMON NAME	INSTALLATION SIZE	SIZE AT MATURITY	QUANTITY
AA	ASTIBLE X ARENDSII 'COLOR FLASH'	COLOR FLASH ASTILBE	3" POT	10"TX12"W	16
HC	HOSTA 'CLIMAX'	CLIMAX HOSTA	3" POT	2'TX3'W	10
HE	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	3" POT	18"TX2'W	32

LANDSCAPE REQUIREMENTS:

REQUIREMENT: ADD TREES AT MINIMUM RATE 1 TREE PER DWELLING UNIT
40 UNITS * 1 TREE = 40 REQUIRED

PROPOSED: 41 TREES

REQUIREMENT: ADD TREES AT MINIMUM RATE 1 TREE PER 40 LINEAL FEET PARKING AREA.
418 L.F. OF PARKING/50 = 9 REQUIRED

PROPOSED: 9 TREES

REQUIREMENT: ADD SHRUBS AT MINIMUM RATE 1 SHRUB FOR EVERY 30 INCHES OF BUILDING FACADE.
65 L.F. BUILDING FACADE/30" = 26 SHRUBS REQUIRED

PROPOSED: 27 SHRUBS

PERIMETER LANDSCAPING REQUIREMENT (DOUBLED): 10' PARKING LOT PERIMETER LANDSCAPE BED. 1 SHRUB FOR EVERY 15 SQUARE FEET OF LANDSCAPED AREA = 2,125 S.F./15 = 142 * 2 = 283 SHRUBS REQUIRED

PROPOSED: 286 SHRUBS

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Point of Beginning

C102

2 Proposed West Elevation
SCALE: 1/8" = 1'-0"

1 Proposed North Elevation
SCALE: 1/8" = 1'-0"

Engberg Anderson
MILWAUKEE • MADISON • TUCSON

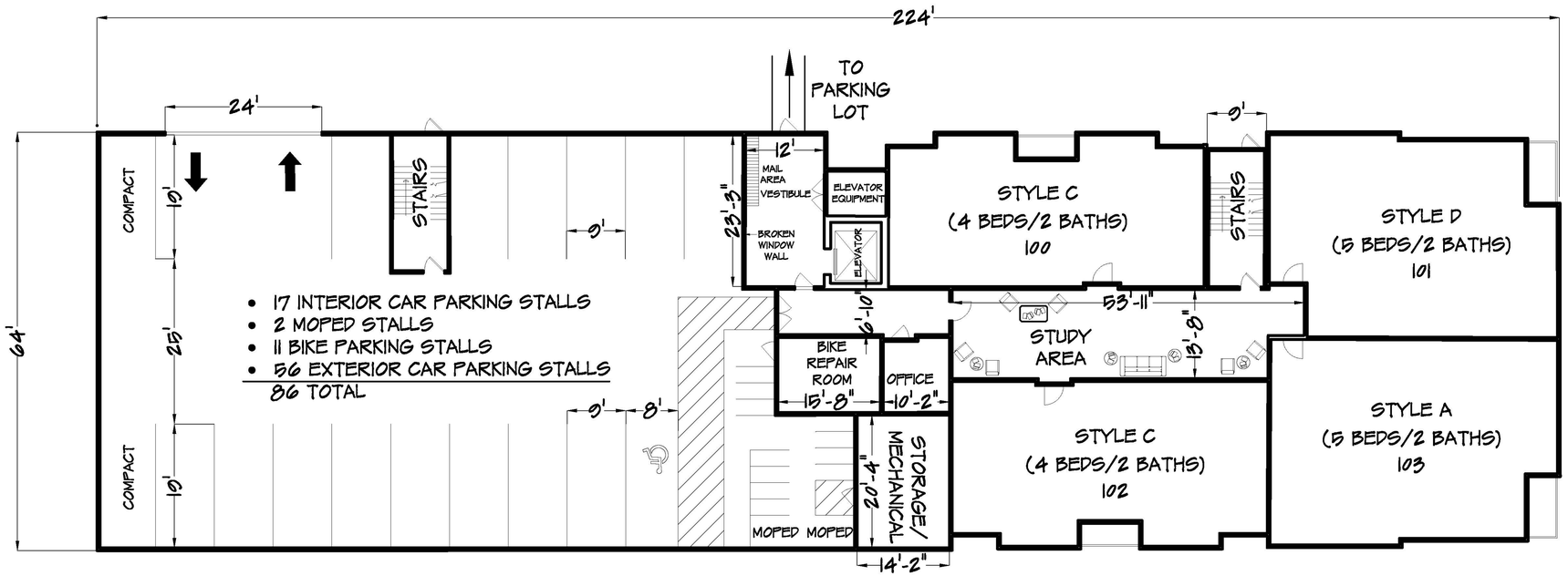
Conservation Place

Schematic Elevations

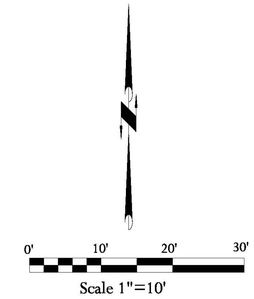
Scale: 1/8" = 1'-0"

November 22nd, 2013

Engberg Anderson Project No. 00000.00



FIRST FLOOR CONCEPTUAL LAYOUT-
18 UNITS



KEY:

- Total Number of Units Per Floor (2nd-5th)= 41 Units
- Total Number of Bedrooms = 182 Bedrooms
- Total Car Parking Stalls = 73 Stalls
- Total Bike Stalls = 11 Stalls
- Total Moped Stalls = 2 Stalls
- Square Footage per Floor (2 thru 5) = 13,346 s.f.
  - First Floor
    - 7,630 s.f. Unfinished (Garage, Hallway, Storage & Vestibule Area)
    - 5,928 s.f. Finished

  First Floor = 13,558 s.f. total
- Total Building Square Footage = 66,942 s.f.

OTHER APPLICABLE CODES:

- Building Code: The Wisconsin Commercial Building Code, 60 thru 65 IBC 2006
- Accessibility Code: ICC/ANS A117.7 2003
- Plumbing Code: Comm 81 thru 87 IPC 2000
- Electrical Code: Comm 5, 16, and 73 NEC 2000
- Fire Protection Code: Comm 14 IFC 2000
- Life Safety Code: NAPA 101 2000
- Mechanical Code: Comm 50-64 IMC 2006
- Elevator Code: Comm 18, ASMEA 17.1 2006
- Energy Code: Comm 63, IECC 2006
- Allowable Area per 1205-705-1 is:
  - Proposed Area per floor is 13,345 s.f.

ZONING CODES (B-4 Commercial District):

- Lot Area and Density: 2,650 s.f. Lot area per ground floor unit plus additional 50 s.f. per bedroom. 870 s.f. Lot area per above ground floor unit plus an additional 50 s.f. per bedroom. 770 s.f. Lot area per unit above second floor having a balcony plus an additional 50 s.f. per bedroom. Dwellings shall have a minimum lot area of 8,000 s.f.
- Lot Width : 60 ft., 80ft. for corner lots
- Height of Structure: 35 ft., 125 ft. if fire prevention system is approved by Fire Department
- Side Yard Setback: 0' Building Setback, 5' Pavement Setback
- Rear Yard: 0' Building Setback, 5' Pavement Setback
- Street: 25' Street Setback, 10' Setback w/Conditional Use Permit
- Parking Code: 1.5 spaces per 1-bedroom unit; 2 spaces per 2-bedrooms units; multiple dwellings shall have 1 space for each person 18 years of age or older
- Landscaping:
  - *Continuous Screening. Any off-street parking spaces or parking lot abutting the public street right-of-way or property zoned R-1, R-2, R-3, and R-4 or used for residential purposes shall provide continuous screening.
  - *For parking areas being screened from a public right-of-way, residentially property or parking areas within a residentially developed area: 1 tree per 50 lineal feet - for parking areas being screened from commercial or industrial zoned district: 1 tree per 75 lineal feet.

BUILDING CLASSIFICATIONS:

- Occupancy Classifications, Parking Level, S 2
- Residential Level: R-2
- Construction Type:
  - Parking Level, Type I-A
  - Residential Levels, Type III-A
- Allowable Floor Area
- Frontage Increase
- Sprinkler Increase
- Total Floor Area/Total Allowable Building Area
- Maximum Allowable Height in Feet and in Stories
- First Floor Parking and Living Area: 13,345 s.f.
- Second Floor: 13,345 s.f.
- Third Floor: 13,345 s.f.
- Fourth Floor: 13,345 s.f.
- Fifth Floor: 13,345 s.f.
- Grade Plan Determination + City Datum = 100-0 Architectural
- Fire Extinguishing Systems:
  - Sprinklers: Buildings will be fully sprinklered in accordance with NFPA 13, Comm 14 and per IBC 903, Floor area increase per IBC 506.3
  - Potable Fire Extinguisher's, Maximum travel distance 75 feet, Maximum floor area for extinguisher's, 11,000 s.f.
  - Rated: Single extinguisher rated 2-A
- Fire Resistive Requirements: Per structural engineer and IBC Table 601 and 602
- Occupant Load Calculations: Per Architect of record and Structural Engineer of record
- Means of Egress: See Occupancy Load Chart by Architect.

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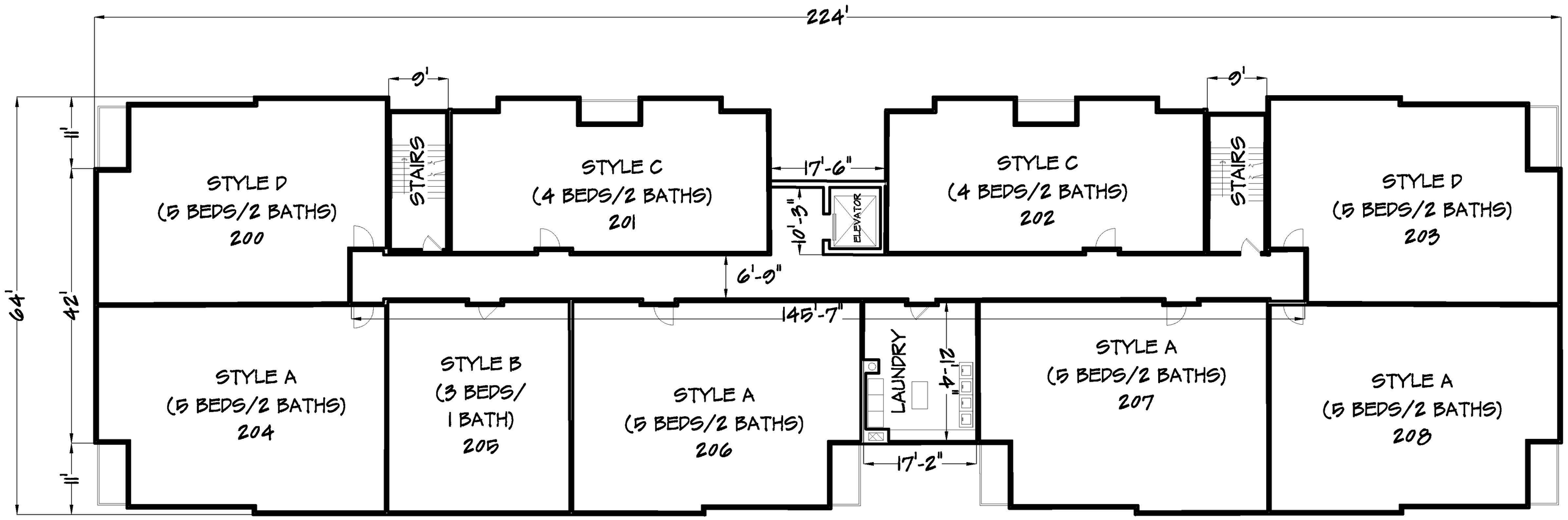
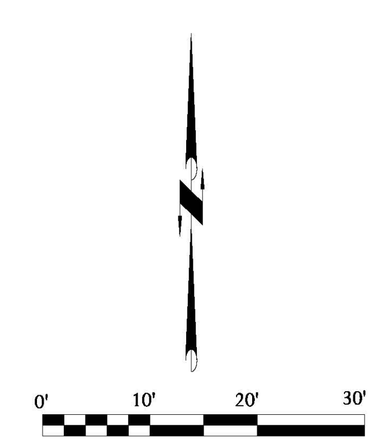
Point of Beginning

A100



SECOND FLOOR CONCEPTUAL LAYOUT-
41 UNITS



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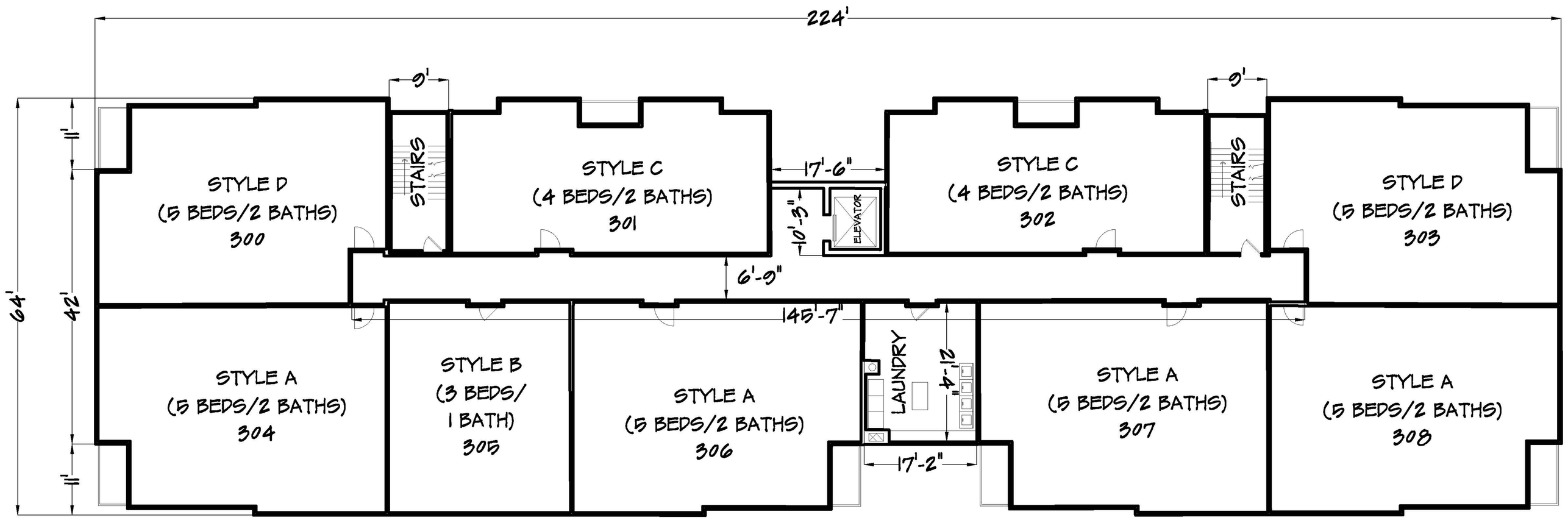
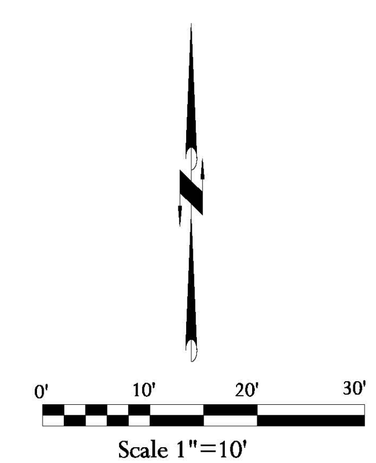
Point of Beginning

A200



THIRD FLOOR CONCEPTUAL LAYOUT-
41 UNITS



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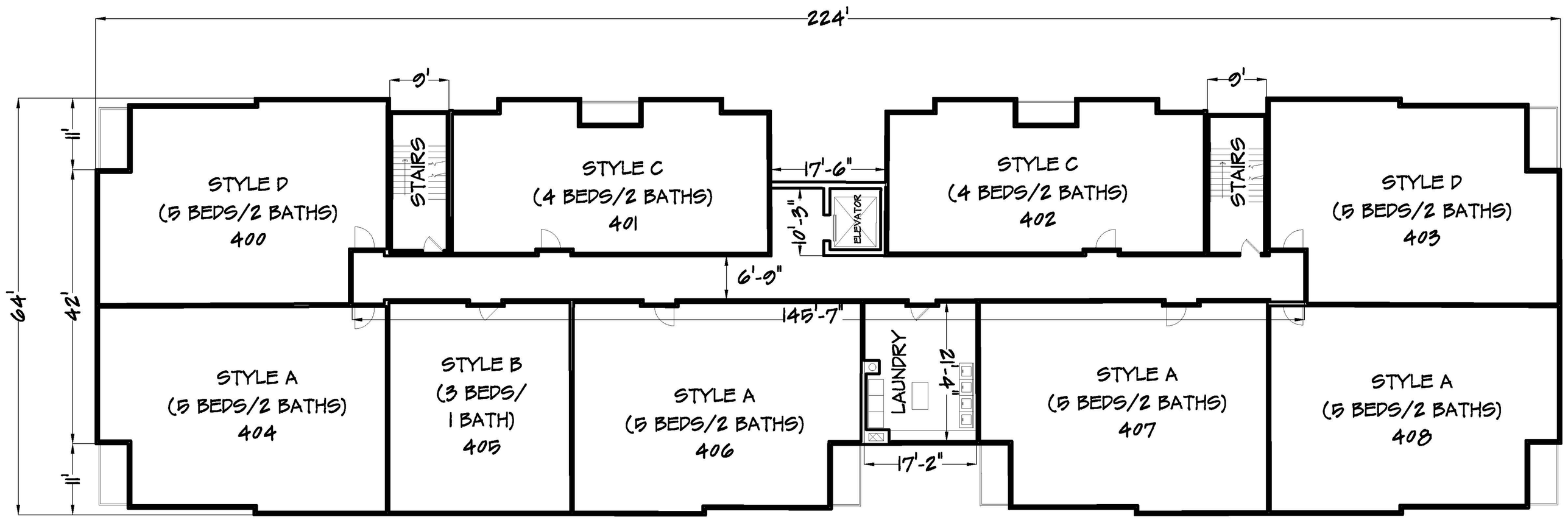
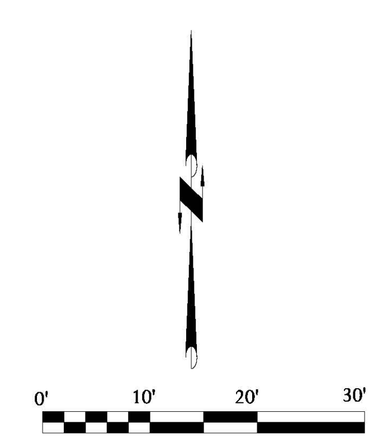
A300



FOURTH FLOOR CONCEPTUAL LAYOUT-
41 UNITS



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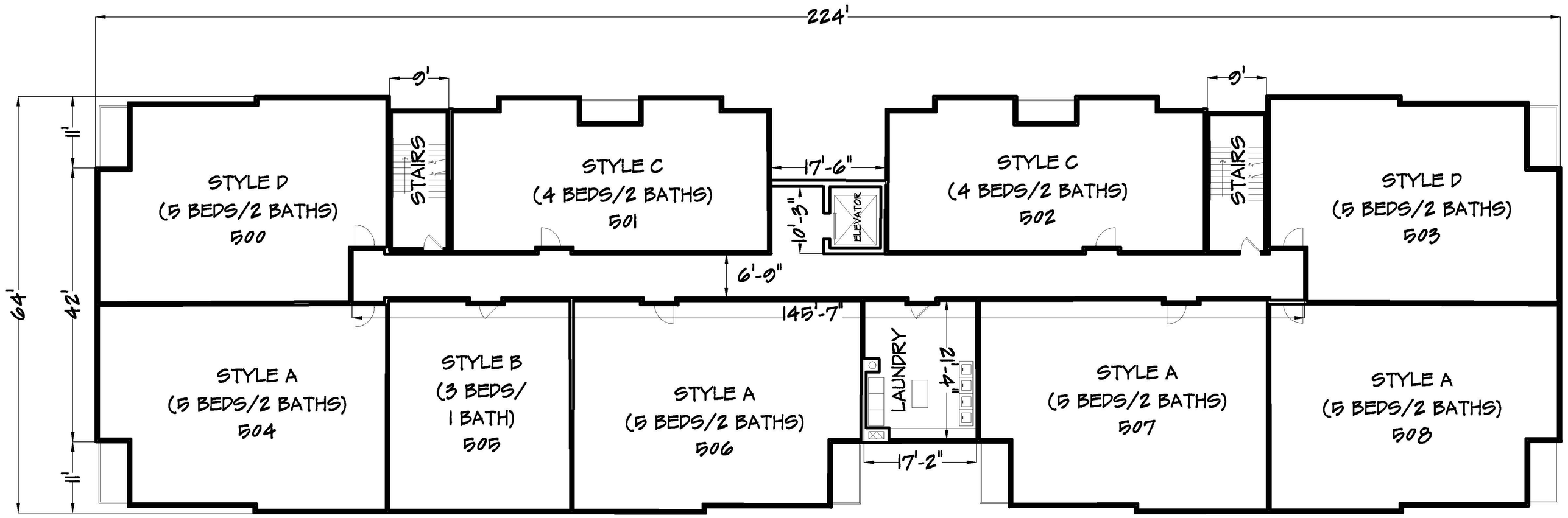
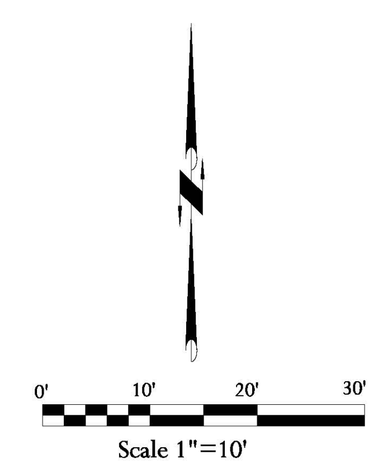
Point of Beginning

A400



FIFTH FLOOR CONCEPTUAL LAYOUT-
41 UNITS



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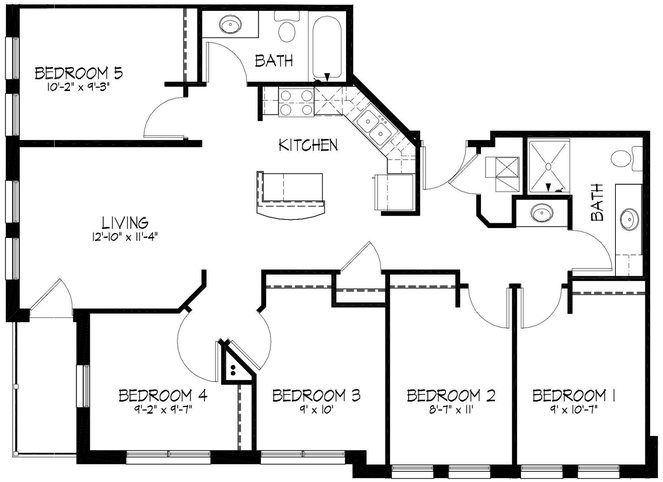
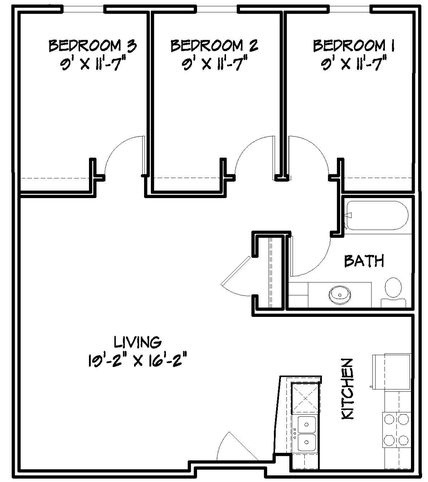
A500



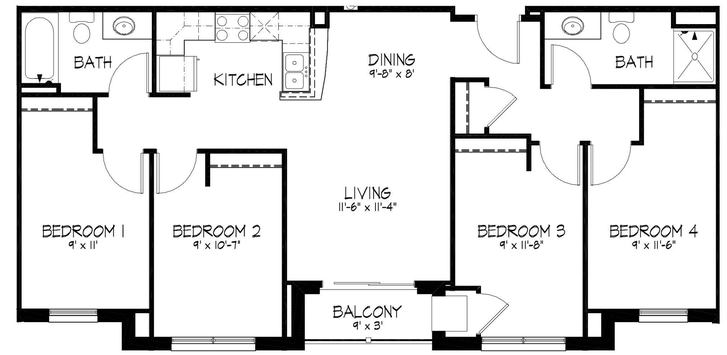
STYLE A

5 Bedrooms/ 2 Baths
Approximately 1,227 s.f.



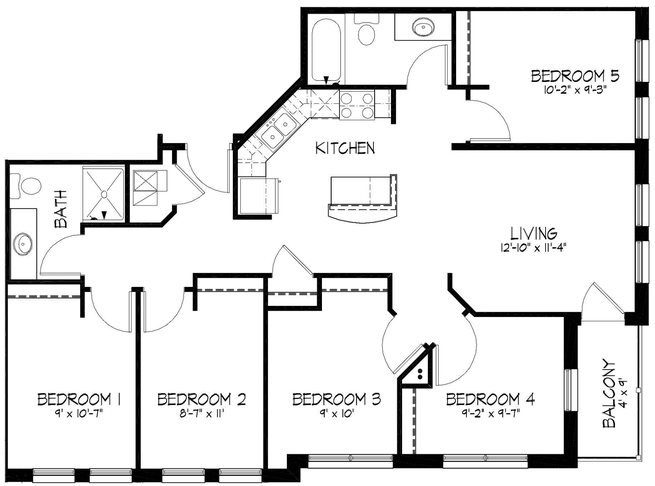
STYLE B

3 Bedrooms/ 1 Bath
Approximately 883 s.f.



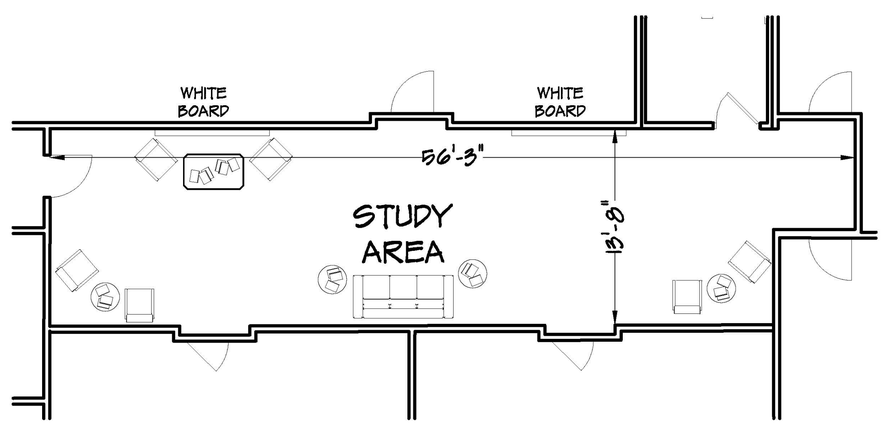
STYLE C

4 Bedrooms/ 2 Baths
Approximately 1,125 s.f.

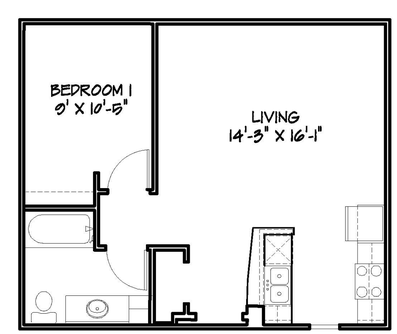


STYLE D

5 Bedrooms/ 2 Baths
Approximately 1,206 s.f.



STUDY AREA E



STYLE F

1 Bedroom/1 Bath
Approximately 530 s.f.

0' 5' 10' 15'
Scale 1"=5'

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CONSERVATION PLACE

209 DIVISION STREET
STEVENS POINT, WISCONSIN

GENERAL CONTRACTOR:

PROJECT MANAGER:
CCFS Group, LLC
Developers, Leasing Agent
Madison, WI

CIVIL ENGINEER:
Land Surveying
Engineering
Landscape Architecture
5709 Windy Drive, Suite D
Stevens Point, WI 54482
715.344.9999(Ph) 715.344.9922(Fx)

Point of Beginning

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PERSONNEL COMMITTEE MEETING
Monday, December 9, 2013 – 6:00 p.m.
Lincoln Center ~ 1519 Water Street

PRESENT: Chairperson O'Meara; Alderpersons Slowinski, Moore, Patton, Phillips

OTHERS PRESENT: Mayor Halverson; C/T Ladick; Clerk Moe; Attorney Beveridge; Alderpersons Suomi, M. Stroik, Doxtator, R. Stroik, Trzebiatowski; Directors Ostrowski, Schrader; Chief Ruder; Chief Kujawa; Assistant Chief Zenner; Barb Jacob; Mary Anne Laszewski; Henry Korger; Ryan Stevenson; Bill Pickton; Bob Fisch; Chuck Rasmussen; Human Resource Manager Jakusz; Nate Enwald, Portage County Gazette; Brandi Makuski ~ SPCT

Chairperson O'Meara called the meeting to order.

1. Request to fill vacancies in the Police Department
   Human Resource Manager Jakusz stated that the Mayor has approved refilling these vacancies and the positions are included in the budget. Motion by Patton to approve filling the vacancies; Alderman Moore seconded. Ayes all, nays none. Motion carried.

2. Request to fill vacancy in the Water Department
   Human Resource Manage Jakusz stated that the Mayor has approved filling this vacancy and that it is a budgeted position. Motion by Slowinski to approve filling the vacancy; Alderman Moore seconded. Ayes all, nays none. Motion carried.

3. Request to fill vacancy in the Parks Department
   Human Resource Manager Jakusz stated that the Mayor has approved refilling this vacancy and the position is included in the budget. Alderman Patton moved to approve the request, Alderman Moore seconded. Discussion ensued.

   Alderman Phillips questioned if we could fill with part time employees in an effort to save money on benefit costs. The memo in the packet references housekeeping duties; he is wondering if part time employees would suffice.

   Mayor Halverson acknowledged the cost of benefits and indicated the City may want to lift the requirement of providing benefits for part-time

employees. He added that there is still is savings in wages due to the completion of the pay study.

Alderman Wiza stated that Parks employee's have important skill sets as well, such as operating machinery and knowledge of building functions. He stated that he hopes Alderman Phillips' comments weren't meant in a derogatory way.

Alderman Phillips replied that he did not mean to be derogatory. He just feels that the City should look at various ways to save money and thought hiring part time employees should be a consideration.

Director Schrader stated that these employees do much more than housekeeping. They are also required to hold a Commercial Driver's License. He is concerned that enough qualified applicants will apply given that the starting wage is $13.75 per hour. He added that these employees do more than general housekeeping duties.

Motion carried with a vote of 4 - 1; Alderman Phillips dissenting. Motion carried.

4. Adjournment ~ 6:07 p.m.

PUBLIC PROTECTION COMMITTEE
Monday, December 9, 2013 – 6:09 P.M.
Lincoln Center – 1519 Water Street

Present: Alderpersons: R. Stroik, Wiza, Trzebiatowski, Suomi, M. Stroik
Also Present: Mayor Halverson; City Attorney Beveridge; C/T Ladick; Clerk Moe; Alderpersons Doxtator, O'Meara, and Patton; Director Ostrowski; Asst. Chief Zenner; Tricia Church; Mary Ann Laszewski; Barb Jacob; Henry Korger; Cathy Dugan; Ryan Stevenson; Chuck Rasmussen; Bob Fisch; Nate Enwald – Gazette; Brandi Makuski – City Times

1. **License List:**
   A. **New Operator's (Bartender's) Licenses.**
   B. **Temporary Class "B" / "Class B" License (Picnic): Boys and Girls Club of Portage County, 1007 Ellis Street, Stevens Point for Portage County Taste of Wine and Cheese, on April 4, 2014 at Noel Group Hangar. Licensed operator on the premise: Jeff Tewes (Beer and Wine).**
   C. **"Class A" Liquor and Class "A" Fermented Malt Beverage License: Aldi Inc., for Aldi #51, 5632 Highway 10 East, Stevens Point; Rick Wagner, agent for license period beginning December 17, 2013.**
   D. **"Class B" Combination Beer & Liquor License: Steve – O's of Stevens Point, Inc., 2490 Sunset Drive N, Stevens Point, WI at Steve – O's of Stevens Point, Inc., 1327 Second Street, Stevens Point, WI; Ryan Stevenson, agent (Currently, Mugshots on the Square).**

Ald. Wiza **moved**, Ald. R. Trzebiatowski seconded, to approve 21 new operator licenses, temporary Class "B" / "Class B" License (Picnic) for Boys and Girls Club of Portage County for Portage County Taste of Wine and Cheese, on April 4, 2014 at Noel Group Hangar with licensed operator on the premise being Jeff Tewes, "Class A" Liquor and Class "A" Fermented Malt Beverage License for Aldi Inc. at 5632 Highway 10 East with Rick Wagner as agent for license period beginning December 17, 2013, and "Class B" Combination Beer & Liquor License for Steve – O's of Stevens Point, Inc., 2490 Sunset Drive N at Steve – O's of Stevens Point, Inc., 1327 Second Street with Ryan Stevenson as agent (Currently, Mugshots on the Square).

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

2. **Request to Hold Event/Street Closings – St. Paul Lutheran School annual 5k run/walk fundraiser on April 26, 2014. Request to close a portion of Oak St. for the start and finish lines.**

Asst. Chief Zenner said the only issue is Michigan Avenue and that concern has already been addressed.

Ald. Wiza **moved**, Ald. M. Stroik seconded, approval of the event and street closings as listed.

Ald. R. Stroik would like to **amend** the motion to include that auxiliary police will be utilized for traffic control and have a similar number of volunteers to obtain barricades for the closing of Oak Street and for those volunteers to notify neighbors along the route before the event.

Alderpersons Wiza and M. Stroik agreed to the amendment to the motion.

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

3. Ordinance Amendment – Polling Place Change in District #11 – Move from Pacelli High School, 1301 Maria Dr. to the Stevens Point Area Convention & Visitors Bureau, 340 Division St. North (Sect. 15.03(11) of the RMC).

Ald. R. Stroik **moved**, Ald. Trzebiatowski seconded, to approve the Ordinance Amendment – Polling Place Change in District #11 – move from Pacelli High School, 1301 Maria Dr. to the Stevens Point Area Convention & Visitors Bureau, 340 Division Street North.

Ald. Wiza asked if voters in this district will be notified of the change.

Clerk Moe responded that postcards will be sent out to all registered voters notifying them of the change of polling location except for the dorms in which just the dorm will be noticed. He noted that a large sign will be placed at Pacelli letting people know that it is no longer a polling place with directions to the new polling place. The Clerk stated additional signage will be placed at the new polling location.

Ald. Trzebiatowski asked if there are any financial obligations.

Clerk Moe replied the City does not pay rental fees for any of the polling places.

Ald. Suomi asked if this is a possible trend of the other polling places that are in the schools.

Clerk Moe said the main reason for Pacelli stepping away was scheduling conflicts. He said the room that was used for voting is utilized a lot by the school. The Clerk said some concerns have been brought up about using the schools and he is willing to look at that if members would like. The City has smaller neighborhood polling places for many reasons including security. He noted possible sites would have to be able to handle a large volume of people as well as be ADA compliant or absorb the cost of becoming ADA compliant. The Clerk stated the idea of merging polling places has also been talked about. He said it is up the Council to decide what they want to do in the future.

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

4. Monthly Inspection Report.

Director Ostrowski noted that it is only a partial value for Service Cold Storage on this month's report. He said additional new construction values for Service Cold Storage will be on December's report.

Ald. Wiza **moved**, Ald. R. Stroik seconded, to accept the report and place it on file.

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

5. Adjournment.

Adjournment at 6:18 p.m.

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

The Common Council of the City of Stevens Point do ordain as follows:

SECTION I: That Section 15.03 (11) of the Revised Municipal Code of the City of Stevens Point is hereby amended to read as follows:

(11) Eleventh District: Stevens Point Area Convention and Visitors Bureau 340 Division St N

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

APPROVED: _____
Andrew J. Halverson, Mayor

ATTEST: _____
John Moe, City Clerk

Dated: December 4, 2013
Adopted: December 16, 2013
Published: December 20, 2013

FINANCE COMMITTEE
DECEMBER 9, 2013 AT 6:50 P.M.
LINCOLN CENTER – 1519 WATER STREET

PRESENT: Alderpersons Moore, R. Stroik, Slowinski, O'Meara and M. Stroik
ALSO
PRESENT: Mayor Halverson; City Attorney Beveridge; C/T Ladick; City Clerk Moe; Ald. Wiza, Trzebiatowski, Suomi, Patton, Phillips, Doxtator; Directors Ostrowski, Schrader, Schatschneider; Asst. Police Chief Zenner; Fire Chief Kujawa; Human Resource Manager Jakusz; Tricia Church; Brandi Makuski; Nate Enwald; Chris Jones; Barb Jacob; Mildred Neville; Henry Korger; Mary Ann Laszewski; Chuck Rasmussen; Bob Fisch; Bill Pickford; Cathy Dugan; Cindy Nebel; Garrett Ryan; Lindsey Ryan; Jack Fischer; Jeff May

6:50pm Meeting Called to Order

6:51pm Meeting Recessed to Return to Board of Public Works Meeting

7:04pm Reconvened Back to the Finance Committee

ITEM #1 – A Resolution Authorizing and Providing for the Sale and Issuance of $2,105,000 Taxable General Obligation Promissory Notes, Series 2013C, and All Related Details..

Dawn Gunderson from Ehlers gave a presentation on the results of the bond sale and explained the bond rating from Moody's. Ms. Gunderson also explained the change in dollar amount from $2,105,000 to $2,085,000, which was related to the sale results.

Motion made by Ald. O'Meara, seconded by Ald. Slowinski to approve the borrowing resolution in the amount of $2,085,000.

Ayes: All Nays: None Motion carried.

ITEM #2 – A Resolution Authorizing and Providing for the Sale and Issuance of $780,000 General Obligation Promissory Notes, Series 2013D, and All Related Details.

Motion made by Ald. O'Meara, seconded by Ald. Slowinski to approve the borrowing resolution in the amount of $775,000.

Ayes: All Nays: None Motion carried.

7:13pm Meeting Recessed for Special Common Council Meeting

7:41pm Reconvened Back to the Finance Committee

ITEM #3 – Write-off Uncollectible Personal Property Taxes and Accounts Receivable.

C/T Ladick stated that the Write-offs are something that occur yearly, and that the majority of the write-offs are related to personal property taxes, which are more difficult to collect because they do not stay with the parcel.

Motion made by Ald. O'Meara, seconded by Ald. M. Stroik to approve the Write-off of uncollectible personal property taxes and accounts receivable

Ayes: All Nays: None Motion carried.

ITEM #4 – Transfer $300,000 to the Stevens Point Municipal Airport, for the purposes of working capital and repaying advances from other funds.

C/T Ladick stated that the airport was split off as a separate enterprise at the beginning of the year, and therefore has a need for working capital funds. In addition, past budgets have not provided a sufficient level of funding to cover airport operations, which has resulted in advances from other funds which need to be repaid.
Motion made by Ald. O'Meara, seconded by Ald. R. Stroik to approve the transfer of $300,000 to the Stevens Point Municipal Airport.

Ayes: All Nays: None Motion carried.

ITEM #5 – Advance (2013) and later transfer (2014) $300,000 to Stevens Point Transit, for the purposes of working capital.

Ald. Moore asked if this request was similar to the airport request. C/T Ladick stated that it was very similar, with the only difference being that all of the funds would be used for working capital needs, as there are no advances from other funds that need to be repaid. C/T Ladick explained that the reason why we will do an advance in 2013, and then repay with a transfer in 2014, is to ensure that we do not exceed total budgeted expenditures for 2013.

Motion made by Ald. O'Meara, seconded by Ald. M. Stroik to authorize the advance in 2013, and later transfer in 2014, $300,000 to Stevens Point Transit.

Ayes: All Nays: None Motion carried.

ITEM #6 – 3rd Quarter Room Tax Report.

Ald. Moore asked if C/T Ladick had anything to add regarding the report. C/T Ladick responded that he did not have anything in particular to add.

Motion made by Ald. R. Stroik, seconded by Ald. Slowinski to approve the report and place it on file.

Ald. Trzebiatowski asked C/T Ladick to explain a little about Room Tax and how it has stayed fairly stable despite the Ramada and Super 8 closing. C/T Ladick stated that the room tax has stayed fairly stable, ranging from about $630,000 to $650,000 annually, and that there has not been a large decline in room tax collections resulting from those hotels closing, most likely because people are just staying at other hotels in Stevens Point.

Ayes: All Nays: None Motion carried.

ITEM #7 – Authorizing the Execution of Development Agreement with CCFS Group, LLC.

Ald. Moore requested that anyone who would like to make comments should keep those comments pertinent to the financial aspects of the project.

Mary Ann Laszewski, 1209 Wisconsin St., stated that she is opposed to the project because with an out of town developer, the rental revenue will be getting shipped out of the community. She expressed further concern regarding the impacts to local owners of rental property, who would face higher vacancies and lower rental income.

Henry Korger, 3200 Water St., stated that the City has not bent over backwards for him, and that anyone who wants to build an apartment, if they have money for a down payment, should be

able to get a loan. He stated that he has land contracts, and that if something goes wrong with these businesses, then his retirement is put in jeopardy.

Cindy Nebel, 1100 Phillips St., stated that she believes that we need more student housing, but that she does not want to see the $500,000 in TIF money used for this project, and suggested a better use would be to use that money for properties that are already blighted. She questioned whether there would be someone on site to supervise all of the student renters.

Jeff May, 21 Oak Crest, stated that he was surprised that this was being considered, and that it is a big government giveaway to support unfair competition. He stated the need to be socially responsible, and questioned if there are any solar panels or geothermal heating systems associated with the proposed building. He stated that he did feel that sufficient information was given about the project.

Mildred Neville, 1709 Jefferson St., stated that the paperwork for the conditional use permit was not properly completed, and that the project has not followed the city's plan, which is a red flag. She stated that if the finance committee feels that this is coming in a bad way, then that is reason to vote no. She stated that the committee should make decisions that bolster the economy of Stevens Point, but not in a way that harms city taxpayers.

Cathy Dugan, 615 Sommers St., stated that she would not like to see money spent in real estate development, but for basic city services such as inspection, and increased policing.

Paul Wachowiak, 1620 Meadowview Ln., stated that he has long been a proponent that TIF dollars should not be used for housing, they should be used for economic development. He stated that he has numbers that indicate there is no "but-for". He cited the developers agreement, which includes a personal guarantee as collateral. He stated that a personal guarantee should be from a person, not from a corporation, and that a personal guarantee is not worth the paper it is written on.

Barb Jacob, 1616 Depot St., said that she also disagrees with spending $500,000 on this development, because the Point Motel is not blighted. She stated that we will never get the $500,000 back, it will be gone. She would rather see the money going into the blighted area of this district, or to encourage people to keep their homes up.

Ald. Slowinski stated that he is opposed to using TIF funds for housing projects, because it will pull money from other student housing properties in the City. He stated that despite the extra revenue, he can't support it because it would just pull from one place to benefit another.

Ald. R. Stroik asked, because the property is inside a TIF district, if there would still be TIF increment going into the district if there was no developer's agreement associated with the project. Mayor Halverson replied that the increment would go into that TIF district regardless of whether or not there is a developer's agreement, and that the revenue would have to be used for eligible TIF expenditures. Mayor Halverson added that the $500,000 would not be available unless this project happens, because the extra revenue would repay the $500,000. Ald. R. Stroik stated that even though he owns two rentals, he understands the need to grow the tax base and look for good, sound investments. Unfortunately, though, his biggest issue is changing all kinds of codes and ordinances to accommodate the project, such as the parking deficiencies. He stated that had the changes in ordinances been known about, other developers may have been interested investing in a development.

Ald. Slowinski reiterated that this would just be moving people around, which could create vacancies and blight in the rest of the city. Mayor Halverson responded that given the amount of enrollment expansion at the University, the vacancies should not be a problem.

Director Ostrowski responded to the concerns about vacancies, stating that the university is seeing increases in enrollment, and has plans for expansion, the university dorms are full, and Stevens Point has a low vacancy rate in comparison to other municipalities with UW schools. He also stated that the developer's incentives are open to anyone who wishes to make a proposal. He further stated that they have been looking at amending their zoning code for some time, including parking regulations. The changes would reduce parking requirements, not just at this development, but for every property in the city, which all landlords can benefit from. He also stated that the incentive money would not be available without this development to repay it. He stated that the development will bring significant revenue, and could result in other development in the corridor.

Ald. R. Stroik stated that as a steward of city funds, he thinks the development does make sense, and he will vote yes for the financing, but that doesn't change his concerns about the conditional use permit, despite that this is a good investment.

Motion made by Ald. O'Meara, seconded by Ald. R. Stroik to authorize the execution of development agreement with CCFS Group, LLC.

Ayes: O'Meara, R. Stroik, M. Stroik, Moore Nays: Slowinski Motion carried.

ITEM #8 – Approval of Payment of Claims.

Motion made by Ald. O'Meara , seconded by Ald. Moore approve the payment of claims in the amount of $2,803,936.17.

Ayes: All Nays: None Motion carried.

Adjournment at 8:48 p.m.

SPECIAL FINANCE COMMITTEE
NOVEMBER 18, 2013 AT 5:20 P.M.
COUNCIL CHAMBERS – 1516 CHURCH STREET

PRESENT: Alderpersons Moore, Slowinski, O'Meara and M. Stroik
ALSO
PRESENT: Dawn Gunderson; C/T Ladick; Finance Office Manager Freeberg

ITEM #1 – An Initial Resolution Authorizing the Sale and Issuance of General Obligation Promissory Notes, and Certain Related Details.

Dawn Gunderson from Ehlers gave a presentation on the analysis of the different options related to the financing, and identified an open market borrowing as the most cost effective option. C/T Ladick explained the uses of the borrowing, for projects in TID 6 and TID 9.

Motion made by Ald. O'Meara, seconded by Ald. Slowinski to approve the initial resolution.

Ayes: All Nays: None Motion carried.

ITEM #2 – An Initial Resolution Authorizing the Sale and Issuance of Taxable General Obligation Promissory Notes, and Certain Related Details

Motion made by Ald. O'Meara, seconded by Ald. Slowinski to approve the initial resolution.

Ayes: All Nays: None Motion carried.

Adjournment at 5:26pm

Conservation Place

Development Agreement - 209 Division Street

Between the City of Stevens Point and CCFS Group, LLC

Recommended by the Finance Committee:
Approved by the Common Council:

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Development Agreement

THIS DEVELOPMENT AGREEMENT is made and entered into as of the ___ day of ___, 2013 by and between the City of Stevens Point, Wisconsin, a Wisconsin municipal corporation (the "City") and CCFS Group, LLC, a Wisconsin limited liability company (the "Developer").

Recitals

WHEREAS, the City has, pursuant to authority granted in Wisconsin Statute Section 66.1105, created Tax Incremental District Number 5 ("hereafter referred to as "TID No. 5") for the purpose of eliminating blight within the district and promoting development consistent with the City's plans; and

WHEREAS, the Developer is planning to purchase property located at 209 Division Street - Parcel ID# 2408-29-4002-03 (Development Site); and

WHEREAS, the Developer is willing to develop an apartment complex on the Development Site; and

WHEREAS, the City is willing to provide financial assistance to facilitate the development on the Development Site as set forth herein, and has determined that this Agreement is in the public interest; and

NOW THEREFORE, in consideration of the promises and mutual obligations of the parties contained herein, each of them does hereby represent, covenant, and agree with the other as outlined in this Agreement.

Purpose of Agreement

The parties hereto are entering into this Development Agreement for the preparation and construction of an apartment complex within the City of Stevens Point TID No. 5. Further, the parties have reached an understanding regarding participation in the future development and intend to enter into this Development Agreement to record the understandings and undertakings of the parties and to provide a framework within which the development may proceed.

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Part 1. Definitions

As used in this Agreement, the following terms shall have the meanings indicated:

A. "Act" means Wisconsin Statute Section 66.1105 which provides authority to the City to create TID 5.

B. "Agreement" means this Development Agreement by and between the City and Developer, as the same may be from time to time amended.

C. "City" means the City of Stevens Point, a municipal corporation.

D. “Default” means failing to meet the Developer undertakings outlined in Division 3.02.

E. "Developer" means CCFS, LLC, properties or assigns.

F. "Development" means the construction of an apartment complex.

G. "Development Costs" means the amounts expended by Developer for construction of the Private Improvements as required under Section 3.02.02 of this Agreement, which is estimated to be approximately $6,300,000.00.

H. "Development Site" - The site generally bounded by in Exhibit A.

I. "Private Improvements" means each and all of the private improvements specified in the construction plans described in Exhibit B, but generally described as the improvements to the Development Site located within TID No. 5.

J. “Property” includes the Development Site and Private Improvements.

K. "Tax Increment" means as defined in Section 66.1105(2)(i) of the Wisconsin Statutes.

L. "TID No. 5" means City of Stevens Point Tax Incremental District Number 5, and project plan created by City.

Part 2. Parties Warranties and Representations

Division 2.01 City Representations

The City makes the following representations as the basis for the undertaking on its part herein contained:

A. The City is a municipal corporation and political subdivision organized under the laws of the State of Wisconsin.

B. The City has the authority to enter into this Agreement and carry out its obligations

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hereunder pursuant to the authority granted to it by the Wisconsin Constitution and Wisconsin Statutes.

C. The City proposes to provide assistance to Developer in accordance with the provisions of this Agreement as described in Section 3.01.01 below.

D. The activities of the City are undertaken for the purposes defined in Section 66.1105 of the Wisconsin Statutes.

E. The parties signing below on behalf of the City have been fully authorized to execute this Agreement on behalf of the City.

Division 2.02 Developer Warranties and Representations

The Developer makes the following warranties and representations as the basis for the undertaking on its part herein contained:

A. CCFS Group, LLC is a Wisconsin limited liability company, duly organized and in good standing under the laws of the State of Wisconsin, and is not in violation of any provisions of its Articles of Organization, Operating Agreement or the laws of the State of Wisconsin, has the power to perform its obligations hereunder and has duly authorized the execution, delivery and performance of this Agreement by proper company action.

B. Developer will control the construction of the Private Improvements on the Development Site.

C. The construction of the Private Improvements on the Development Site by Developer would not occur but for the tax increment financing assistance being provided by the City hereunder.

D. Neither the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Agreement is prevented, limited by or conflicts with, or results in the breach of the terms, conditions, or provisions of any contractual restriction, evidence of indebtedness, agreement or instrument of whatever nature to which Developer is now a party or by which is bound, or constitutes a default under any of the foregoing.

E. The parties signing below for Developer warrant that they have full power and authority to execute this Agreement on behalf of Developer, and to bind Developer to the Agreement.

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Part 3. Parties Undertakings

Division 3.01 City Undertakings

Section 3.01.01 Tax Incremental Financing Grant

To further promote the City's goal of reducing blight and its influences, the City agrees to provide to the Developer a grant in the amount of five hundred thousand dollars ($500,000.00) to be used towards the Project Costs. Grant proceeds will be disbursed to Developer upon its acquisition of the Development Site, the City's receipt of certified financial statement of the Developer demonstrating sufficient resources to carry out the construction of the Private Improvements, and the execution of the personal security guarantee described in Section 4.01.

Division 3.02 Developer Undertakings

Section 3.02.01 Permits and Approvals

Developer's obligations under Division 3.02 are contingent on obtaining permits and other City approvals necessary for the construction of the Private Improvements. Developer shall make all reasonable efforts to obtain such permits and approvals in a timely manner. Developer understands that this Agreement cannot obligate the City to issue any such permits or approvals.

Section 3.02.02 Development Costs and Value

Developer contemplates expending approximately $6,300,000.00 on the construction of the Private Improvements on the Development Site. Upon completion, the assessed value of the Private Improvements on the Development Site, not including the value of the land, shall be at a minimum of $4,900,000.00. The value shall be determined by the City Assessor's office in accordance with the Wisconsin Property Assessment Manual and chapter 70 of the Wisconsin Statutes. The $4,900,000.00 assessed value of the Private Improvements on the Development Site shall be reached by February 1, 2016, and shall be maintained at that level for at least half of the remaining duration of TID No. 6 as of that date. In the event that the assessed value of the Private Improvements falls below $4,900,000.00 during that period, Developer shall provide a payment in lieu of taxes to the City such that the sum of the actual property tax paid to the City by Developer and the payment in lieu of taxes is equal to the property tax that would be paid if the assessed value of the Private Improvements was $4,900,000.00.~~The assessed value of the Private Improvements on the Development Site shall be reached by February 2016.~~

Developer understands that failing to complete the Private Improvements~~,~~ by the end of December 31, 2015, unless that date is extended by a mutual agreement between the parties or due by the necessity of force majeure, ~~such failure to complete the Private Improvements by December 31, 2015~~ shall be considered default and the City shall proceed under Part 6, including making a claim for the security of the City costs, outlined in Section 3.01.01 ($500,000.00), pursuant to Part 4 and Part 5 of this Agreement.

Section 3.02.03 Tax Exempt Penalty

In the event the Property, or any part of it, becomes exempt or partially exempt from property taxes assessed by the City, the Developer shall provide the City with the following:

1) An agreement with the City executed by the entity creating the exempt, or partial exempt, status in a form of a Payment in Lieu of Taxes (PILOT) Agreement that will provide to the City a continued flow of revenue equal to the flow of revenue the City would have received if the Property had remained subject to appropriate City tax assessments. The above mentioned PILOT Agreement shall expire upon the expiration of the TID No. 5 and the funds paid under such PILOT Agreement shall be commensurate to the funds that were anticipated by the City and the Developer in satisfaction of TID No.5, OR

2) The Developer shall pay an amount equal to the property taxes that would otherwise have been paid as property taxes on the Property, annually, for the life of TID No. 5.

Whether the payment occurs under the PILOT Agreement or by the Developer the payment will be calculated on a $4,900,000.00 assessed value of the Private Improvements on the Development Site, plus the current value of the land at the time the Property would become exempt from property taxes. In all events such PILOT Agreement or required payment by the Developer shall be for the sole purpose of reimbursing the City for the payment made by the City to the Developer under TID No. 5.

Section 3.02.04 Property Maintenance

Following completion of the Private Improvements required under Division 3.02, Developer shall maintain the Property in a good and presentable condition and shall promptly repair any damage. Developer shall maintain adequate property insurance for such purpose.

Division 3.03 Conditions Precedent to Closing

Section 3.03.01 Purpose

The parties acknowledge that the Development will require substantial financial resources. While each party is willing and prepared to perform its obligations hereunder, the parties recognize that each must begin its performance under this Agreement and continue it up to the point of Closing without absolute assurance that the others will be able to raise and commit all the funds necessary for Closing.

Section 3.03.02 Pre-Closing Undertakings of the City

Prior to closing, the City agrees that it shall:

A. Cooperate with the Developer to facilitate its performance under Section 3.03.03.

B. Cooperate with Developer in applying for zoning and other permits necessary for the intended Development.

C. Cooperate with the Developer so as to facilitate its performance under Division 3.02.

D. The Developer acknowledges that various specific undertakings of the City described in Division 3.01 and Section 3.03.02 require approvals from City's Boards, Commissions, and/or Committees, the City's Common Council, as well as from governmental bodies external to the City, some of which approvals may require public hearings and other legal proceedings as conditions precedent thereto. The City's agreements under Division 3.01 and Section 3.03.02 are conditioned upon the obtaining of all such approvals in the manner required by law. The City cannot assure that all such approvals will be obtained; however, it agrees to use its best good faith efforts to obtain them on a timely basis.

Section 3.03.03 Pre-Closing Undertakings of the Developer

Prior to Closing, the Developer agrees that it shall:

A. Cause to be organized one or more groups of individuals or corporate investors who collectively are committed to make the necessary equity investment in the Development.

B. Prepare architectural drawings, plans, and specifications for the Development that are acceptable to the City.

C. Obtain all necessary zoning and other approvals for the Development.

D. Cooperate with the City and so as to facilitate its performance under Division 3.01, and Section 3.03.02.

Part 4. Security

Division 4.01 Amount and Type

Developer shall provide to the City a Development Security in the form of a personal guarantee made by C.D. Smith Construction, Inc. in an amount of five hundred thousand dollars ($500,000.00). Such security is identified in Exhibit C.

Division 4.02 Conditions of Release

After the construction of the Private Improvements is complete, the City has issued a certificate of occupancy, and the City's assessor has certified that the assessed value of the Private Improvements on the Development Site reaches at minimum $4,900,000.00, as indicated in Section 3.02.02, the City shall release any claim to the pledged security described in Section 4.01. The release of such security shall not release the Developer from its obligations under this Agreement.

Part 5. Assignment

The rights, duties and obligations of the Developer hereunder may be assigned by Developer provided that prior to any such assignment Developer procures the written consent of the City to the assignment, which consent shall not be unreasonably withheld and which shall be deemed granted if not withheld by written notice to Developer from City given on or before forty five (45) days after Developer requests in writing that City consent to an assignment of this Agreement. This provision shall not apply to assignments by partners, shareholders or members of the Developer to other partners, shareholders or members of the Developer nor shall it apply to a sale or transfer of less than a majority interest of the Developer.

Part 6. Default Provisions

Division 6.01 Notice of Default

In the event either party is in default hereunder (the "Defaulting Party"), the other party (the "Non-defaulting Party) shall be entitled to take any action allowed by applicable law by virtue of said default provided that the non-defaulting party first gives the Defaulting Party written notice of default describing the nature of the default, what action, if any, is deemed necessary to cure the same and specifying a time period of not less than thirty (30) days in which the default may be cured by the Defaulting Party.

Division 6.02 Remedies upon Developer's/Owner's Default

In the event Developer defaults under the terms of this Agreement and fails to cure the default after a notice within the time period provided pursuant to Division 6.01, then City without prejudice to any other rights or remedies afforded City by applicable law may compel conformance of this Agreement by bringing an action for a specific performance hereof or may foreclose upon the mortgage or security provided for herein, and attached as Exhibit C, pursuant to applicable law. Developer agrees the City may, at its option and subject to the notice provisions of Division 6.01, foreclose the City's mortgage by action or advertisement or by the exercise of any other remedy available at law or equity, and that City may sell the property at public sale and give deeds of conveyance to the purchaser pursuant to the applicable statutes. In addition, the City may make a claim for the security of the City costs, outlined in Section 3.01.01, pursuant to Part 4 and Part 5 of this Agreement.

Part 7. Notices

All notices, demands, certificates or other communications under this Agreement shall be sufficiently given and shall be deemed given when hand delivered or when mailed by first class mail, postage prepaid, property addressed as indicated below:

To the Developer:
CCFS Group, LLC, or assigns
Michael Krolczyk, Managing Member
c/o C.D. Smith Construction, Inc.
889 E. Johnson Street

Fond du Lac, WI 54936-1006

To the City:
City Clerk
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481

Any party may, by written notice to the party(s), designate a change of address for the purposes aforesaid.

Part 8. Nondiscrimination

With the performance of work under this Agreement, the Developer agrees not to discriminate against any employee or applicant for employment nor shall the development or any portion thereof be sold to, leased or used by any party in any manner to permit discrimination or restriction on the basis of race, religion, marital status, age, color, sex, sexual orientation, physical condition, disability, national origin or ancestry and that the construction and operation of the Development shall be in compliance with all effective laws, ordinances and regulations relating to discrimination on any of the foregoing grounds.

Nothing in this Part shall prohibit discrimination based on age or family status with respect to housing for older persons as permitted by applicable federal and state law.

Part 9. No Personal Liability

Under no circumstances shall any alderperson, officer, official, commissioner, director, member, partner or employee of the City, have any personal liability arising out of this Agreement, and no party shall seek or claim any such personal liability. The limitation on personal liability included in this Part shall extend to Developer's assignment of this Agreement to a partnership or to a limited liability company consistent with Part 5.

Part 10. Miscellaneous Provisions

Division 10.01 Cooperation with Grants

If necessary, Developer and Owner shall work with and cooperate with City in providing data and information necessary for City to comply with the provisions or requirements in connection with a State or Federal grant or other funding applicable to and benefiting the Development.

Division 10.02 Entire Agreement

This document contains the entire agreement between Developer and City, and it shall inure to the benefit of and shall be binding upon the parties hereto and the respective heirs, executives, successors and assigns. This Agreement may be modified only by a written

Amendment signed by the parties, which Amendment shall become effective upon the recording in the Office of Register of Deeds for Portage County.

Division 10.03 Survival of Warranties, Representations, and Agreements

Any warranty, representation, or agreement herein contained shall survive the Closing, and shall run with the land.

Division 10.04 Governing Law

The internal laws of the state of Wisconsin shall govern this Agreement.

Division 10.05 Captions

The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any of the provisions of this Agreement.

Division 10.06 Counterparts

This Agreement may be signed in any number of counterparts with the same effect as if the signatures thereto and hereto were upon the same instrument.

Division 10.07 Severability

If any provisions of this Agreement shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative or unenforceable to any extent whatever.

Division 10.08 City Authorization

The execution of this Agreement by the City was authorized by resolution of the City Council adopted _____ day of _____ 2013.

IN WITNESS WHEREOF, the parties have duly executed this Agreement, or caused it to be duly executed, as of the _____day of _____, 2013.

DRAFT

THE CITY OF STEVENS POINT, WISCONSIN

BY: _____
Honorable Andrew J. Halverson, its Mayor

Attest:

_____
John V. Moe
By: Its City Clerk

STATE OF WISCONSIN)
:ss
COUNTY OF PORTAGE)

Personally came before me this _____ day of _____, 2013, Andrew J. Halverson, Mayor, and John V. Moe, City Clerk, of the above-named City of Stevens Point, Wisconsin, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and City Clerk, and acknowledged that they executed the foregoing instrument as such officers as the deed of said City of Stevens Point, by its authority.

_____
Notary Public, State of Wisconsin

My commission expires: _____

DRAFT

CCFS GROUP, LLC

A Wisconsin Limited Liability Company ("Development Partners")

Date:_____ By: _____
Michael Krolczyk, Managing Member

STATE OF_____)
:ss
COUNTY OF _____)

Personally came before me this _____ day of _____, 2013, _____ _____, _____, of the above-named Limited Liability Company, to me known to be the person who executed the foregoing instrument and to me known to be such _____ of said Limited Liability Company, and acknowledged that he executed the foregoing instrument as such officer as the deed of said Limited Liability Company, by its authority.

_____
Notary Public, State of _____

My commission expires: _____

DRAFT

Exhibit A. Development Site

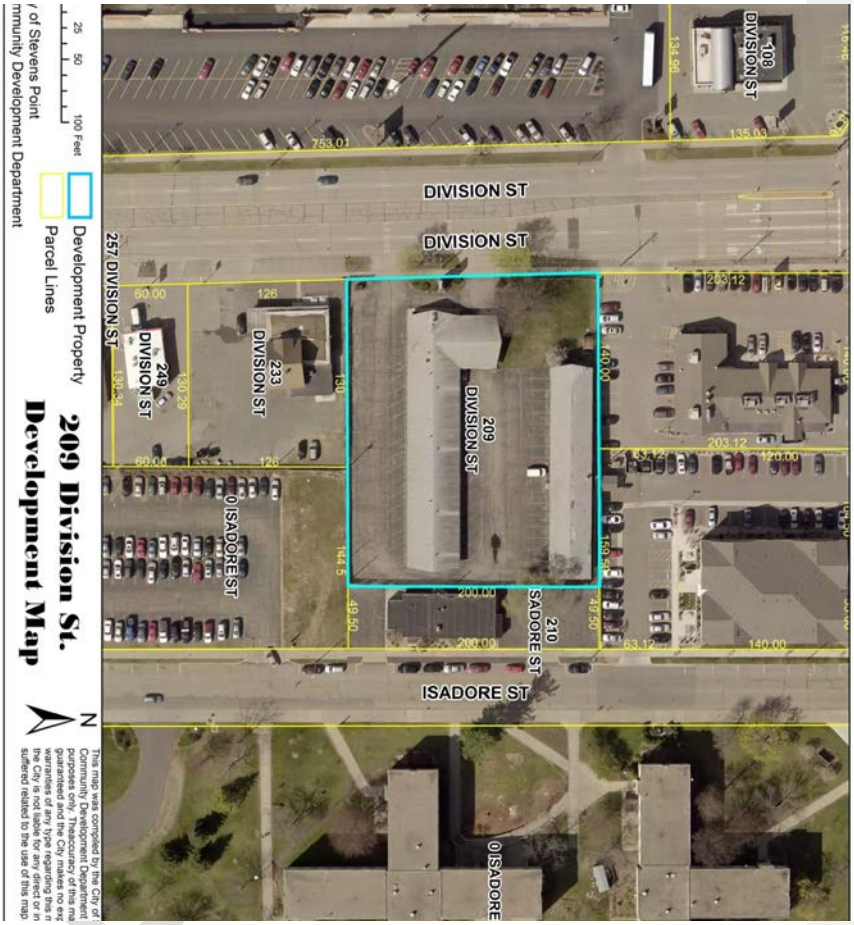


Exhibit B. Project/Private Improvements

Need to insert the approved plans.

DRAFT

Exhibit C. Mortgage/Security

Need to insert security.

DRAFT

BOARD OF PUBLIC WORKS MEETING
Monday, December 9, 2013
Lincoln Center – 1519 Water Street, Stevens Point, WI 54481

MINUTES

PRESENT:
Mayor Andrew Halverson, Comptroller/Treasurer (C/T) Corey Ladick, Director of Public Works Scott Schatschneider and Tricia Church; **Alderpersons:** George Doxtator(1st), JoAnne Suomi(2nd), Michael O'Meara(3rd), Tony Patton(8th) and Randal Stroik(9th).

ALSO PRESENT:
DIRECTORS: Michael Ostrowski – Community Development, and Tom Schrader – Parks and Recreation.
ALDERPERSONS: Mike Wiza(4th), Mary Stroik(5th), Jeremy Slowinski(6th), Roger Trzebiatowski(7th), Mike Phillips(10th) and Jerry Moore(11th).
CITY STAFF MEMBERS: City Attorney A. Logan Beverage, City Clerk John Moe, Fire Department Chief Tracey Kujawa, and Assistant Police Chief Tom Zenner.
OTHERS PRESENT: Brandi Makuski – Stevens Point City Times, Nate Enwald – Portage County Gazette, Chuck Rasmussen – Engineer with OTIE, MaryAnn Laszewski – 1209 Wisconsin Street, Cathy Dugan – 615 Sommers Street, William Pickford – 1316 Michigan Avenue, Bob Fisch – 1033 Smith Street, and Barb Jacob – 1616 Depot Street.

Mayor Andrew Halverson called the Board of Public Works meeting to order on December 9, 2013 at 6:19 P.M. The meeting was held at The Lincoln Center at 1519 Water Street in Stevens Point, WI 54481.

1. **Consideration and possible to approve the Relocation Orders for 100 and 104 Second Street North and Relocation Map for Maria Drive at Second Street North.**

Mayor Halverson mentioned that the Director added a memo highlighting the reasons for us moving forward with the acquisition and the reconstruction of this intersection.

Alderperson O'Meara moved approval adding that we needed to do this for a long time; seconded by Alderperson Suomi.

Alderperson Patton asked if there was anything that Kent had to do. Director Schatschneider stated yes, Kent was sent the letter along with The Rights of Landowners that is included in the packet.

Alderperson Trzebiatowski asked if we plan on vacating the excess property where the current street goes through. Director Schatschneider said we would retain it.

Ayes all; nays none; motion carried

2. Consideration and possible action to correct parking concerns along Wilshire Boulevard North between Stanley Street and Doolittle Drive.

Director Schatschneider explained that he received a call from Bonnie, the current owner of the vacant land to the east of Kwik Trip. She voiced her concerns because she is interested in selling the lot and feels it will not look good with all the cars that use Wilshire Boulevard North as a park and ride on a daily basis. She also feels it is a safety hazard for cars and semi-trucks that travel in and out of Kwik Trip. Bonnie asked that it be brought before the Board of Public Works for review so that is the reason it is on the agenda. Director Schatschneider added that he feels if we post No Parking, it would push the cars to park on Doolittle Drive.

Mayor Halverson asked what the concerns have been regarding semi traffic and turning radii in and out of Kwik Trip. Director Schatschneider said it causes sight issues and congests the entrances blocking the vision of not only the fuel trucks but customers as well and added that it is worse in summer.

Alderperson Patton asked if we knew any of the folks that are doing the park and ride. Mayor Halverson said it is hard to track but the thoughts are from workers commuting from the Interstate and some may be university students.

Alderperson Patton suggested we park them at the Airport if we go through with this so they don't move to Doolittle Drive. Mayor Halverson said in the past we have referenced a partnership between the Airport and University for a park and ride location for commuting students but it never went any further. As long as there would be some amount of revenue that would benefit the airport, it would be allowable under FAA Regulations.

Alderperson O'Meara said he would be willing to entertain a motion for No Parking on the west side but feels the east side is not an issue at this point. If someone wanted to develop that lot we could look at it again.

Alderperson O'Meara made a motion to prohibit parking on the west side of Wilshire Boulevard; Alderperson Patton agreed and seconded the motion.

Alderperson Patton asked what the zoning is for the lot. Director Ostrowski said the lot is zoned multi-family.

Alderperson Stroik asked about putting a 2 hour parking restriction to eliminate the all-day parking. Mayor Halverson said we can limit the parking to whatever we want but then we have another area we would have to monitor.

Alderperson Wiza asked if we have had any issues or complaints regarding the parking on the west side. Director Schatschneider said there have been random complaints and some with close calls but nothing constant. He said when Bonnie called with her concerns regarding her lot she requested it be brought before the Board of Public Works for review.

Alderperson Wiza pointed out that we have parking issues all over the city. He doesn't feel it is needed when a property owner has a perception that parked cars would inhibit the ability to market the land. The cars are legally parked and unless it is a proven safety hazard, he cautions against placing parking limitations or restrictions.

Ayes 5; nays 2; motion carried

3. Consideration and possible action to accept an independent review consultant to assist in the public involvement and potential funding sources for the Business 51 Project.

Director Schatschneider stated that this is before the board as a result of the last public information meeting. There were concerns from the public that were expressed and the included memo summarizes our concerns on where we feel we are at with this project. We feel we need to step back and re-evaluate where we are at with the public involvement. We are requesting assistance from Chuck Rasmussen from the Department of Transportation who is currently with the engineering firm OTIE (Oneida Total Integrated Enterprises). We feel he could assist in presenting this project in a different manner and possibly break the corridor into smaller groups and so we are able to engage the public in a meaningful way.

Alderperson O'Meara added that Mr. Rasmussen was his boss for over 20 years and is very skilled in high controversy projects. He feels that he is very talented and his skillset matches the extent of this project.

Alderperson O'Meara moved to recommend hiring Mr. Rasmussen without reservation in an amount not to exceed $30,000.00; seconded by Mayor Halverson.

Alderperson Patton affirmed that basically we are hiring Mr. Rasmussen to sell this project to the public. He asked if fundamentally the project would change. Alderperson O'Meara said it states he is going to relook at the project along with funding and phasing. In doing that, things may change.

Mayor Halverson stated we were preparing to bring Mr. Rasmussen on as a consultant initially in the past to supplement AECOM from an internal WisDOT funding perspective. He is knowledgeable in all the different dollars that are available to us and when we can retain eligibility for them. We felt he would be an important financial consultant. We would also like someone to present this project from a different point of view.

Alderperson Patton stated he thought that was what we were getting when we hired AECOM and commented that this sounds like we are hiring a consultant for the consultants. He would feel more comfortable if AECOM was hiring Mr. Rasmussen and paying the $30,000.000.

Alderperson Suomi wanted clarification that this is going to cost us $30,000.00. Mayor Halverson reported that it is not to exceed $30,000.00, it may only be $10,000.00 but we wanted to set an amount we felt comfortable with and have it approved not to exceed based on time and materials.

Alderperson Wiza feels we are forming up the same thing historically with what happened in the tearing down of the mall. He feels that nobody short of City staff and AECOM has been in favor of bringing the project to 2-lanes. He feels we are trying to bring on another firm to try to "convince" or "educate" the public onto the City's way of seeing things again. He feels we should use the $30,000.00 towards the project and do it right from the beginning or not do it at all. He stated he could never vote for something that everyone else is against.

Mayor Halverson stated that the issue is being bolstered by that misconception, which is that the project as presented appears we have not been listening to the people when in fact we really have. The main concerns AECOM heard from businesses and property owners were that they did not want to lose their businesses or homes. So AECOM went back and redesigned the corridor to a model that still maintains the amount of traffic flow that we need and minimize those relocations.

Alderperson Trzebiatowski was concerned because in prior RFP's we received for engineering projects, they were received with a resume. He asked if Mr. Rasmussen had a resume available we could make public and for the Common Council Meeting Monday.

Cathy Dugan, 615 Sommers Street asked if OTIE or AECOM could also do a destination study to help us to know who is using the corridor regularly. She was involved in the planning sessions for the comprehensive plan for the downtown and they did it with consultants who brought people together in small groups. It seems when you get people in smaller groups you can explain things better and keep people calm so they have an understanding of what is being presented. She also feels we should involve the people who use the corridor on a daily basis versus just the people who own businesses or properties along that stretch.

6:57 P.M. – MAYOR HALVERSON RECESSED THE BOARD OF PUBLIC WORKS MEETING FOR THE FINANCE COMMITTEE MEETING.

Alderperson Moore called to order the Finance Committee and then we will recess the Finance Committee and let the Board of Public Works finish before we come back to order.

6:58 P.M. – MAYOR HALVERSON RECONVENED THE BOARD OF PUBLIC WORKS MEETING.

Alderperson O'Meara stated that he has been hearing that there was nobody who was on either side but he feels that one side was just more vocal then the other. He pointed out from an engineer's perspective that they deal in cost benefit ratios. The capacity of a 4-lane undivided highway like we have now is about 25,000 vehicles per day. The capacity of a 3-lane with 2-way left turn lane in the middle is about 24,000 vehicles per day. If we were to go up to a 5-lane twittle as we currently have by Fleet Farm, you are only up to 24,000 vehicles per day. For 5,000 vehicles per day, he doesn't feel it would be worth all the businesses and homes that would need to be moved or taken. People conclude that the capacity would double when you add extra lanes but it doesn't. If you study it, the 3-lane solution is more elegant and works better. If you look at the Federal Highway's website to see the maximum capacities, you will see that the first 2 lanes are the lanes that do all the work.

Alderperson Stroik is aware that this is potentially a 50 to 70 year solution. He suggested that we ask the Stevens Point residents to vote their opinions at the spring election instead of spending the $30,000.00 on forwarding the project with another consultant. He would like to see his resume before he would vote in favor.

7:05 P.M. – MAYOR HALVERSON RECESSED THE BOARD OF PUBLIC WORKS MEETING FOR THE FINANCE COMMITTEE MEETING AND SPECIAL COMMON COUNCIL.

7:18 P.M. – MAYOR HALVERSON RECONVENED THE BOARD OF PUBLIC WORKS MEETING.

Alderperson Stroik feels there needs to be more discussion at the Common Council Meeting. He would like to see this with no action and have a debate on the council floor.

Bob Fisch, 1033 Smith Street commented on a few things. He felt that at the last meeting, the participation was hostile and intimidating to anyone who wanted to actually say something in favor of the project. He was in assumption that one of the key features that we were trying to achieve with this project was improved safety and he feels safety issues have been ignored in public comment. There has been a process and those who wished to engage in the process, the opportunities have been available but he also understands that people have not been heard. The process has to be about getting good ideas and finding the right balance. Nobody will be

happy with the project as a whole. There will be some portions that some will be happy with and some portions they won't.

Barb Jacob, 1616 Depot Street doesn't feel at this point spending $30,000.00 is going to be beneficial. She suggested the council members hold meetings in their own districts and bring that information to the council. She feels that people in each district won't be as hostile to the alderpersons as they will be to Mayor Halverson or Director Schatschneider or AECOM.

Alderperson Wiza said he likes Alderperson Stroiks idea of the referendum but doesn't feel it would be effective. He feels that Alderperson O'Meara brought up a good point with the cost of the relocations versus only an additional 5,000 vehicles per day.

Alderperson Doxtator pointed out that $30,000.00 is nothing when we are looking at a $30 million dollar project. He also pointed out that this project involves infrastructure and not just blacktopping a road. There is a lot of money and foresight involved and he feels if Mr. Rasmussen can bring federal monies to the table, then he supports bringing him on board.

Alderperson O'Meara explained when you have large design projects, the designer get attached to the design and then do not want to change it. He feels that Mr. Rasmussen is skilled with this f and has enough of an ego to tell people that he disagrees with what they have done or that they should be thinking something else. He would be a referee to see if all the assumptions that were made during the design are still valid. He feels it is a reasonable use of money and stressed that a good review of an engineering project doesn't cost money, it saves money.

Alderperson Suomi asked what the plan would be if we hired Mr. Rasmussen.

Mr. Rasmussen with OTIE said the first thing he would try to do is ask that a smaller group or representative of each of the 3 phases (meaning the south commercial district, the residential district and the north commercial district) be assembled. He would explain to them the design process and where we at. There are 5 elements to the facilities development or design process and we are in stage 2. From there, he would go into the environmental document which is a critical document that talks first about purpose and need, then about alternatives under consideration and the impacts the alternatives have, then how to minimize those impacts, then solutions. The other element in the environmental document is ICE (indirect and cumulative effects) the project might have on community. The last component would be utilized as these items are being worked on is to apply CSS (Community Sensitive Solutions) or find what flexibility in the design exists. With all the input there would be recommendations that would be made to the Board and Council. How those recommendations are extracted would be up to you. He would try to bring out what he has been hearing at this meeting tonight. He said there is always compromise on a project this complex.

Alderperson Suomi asked if he had any examples of other projects in similar communities he has dealt with. Mr. Rasmussen stated the City of Stevens Point with the south side business district. He has worked with Plover and Whiting to come up the corridor there. He has also worked in the Cities of Wausau and Marshfield on projects. The same concept would be used that has been used in several communities in Central Wisconsin over the last 20 years that he was Project Development and Planning and Programming Chief.

Ayes 6; nays 1; motion carried

4. Consideration and possible action to accept the Director's Report and place it on file.

Director Schatschneider explained the total expenditures so far on the Seawall Project that was added at the end of his report. There will still be a potential invoice from FERC for licensing that will be between $7,000 and $10,000 but it will still come out to be significantly less than $550,000 that was estimated for the project.

Alderperson Patton moved that we accept the Director's Report and place it on file; seconded by Alderperson Doxtator.

Ayes all; nays none; motion carried

5. ADJOURNMENT: Mayor Andrew Halverson adjourned the December 9, 2013 Board of Public Works Meeting at 7:39 P.M.

Carl (Chuck) W. Rasmussen

321 Canterbury Drive, Plover, WI 54467 | (715)-344-8910 | chuck.w.rasmussen@gmail.com

Career Profile

36 Years of experience working with the Wisconsin Department of Transportation, with a broad background in delivering all aspects of transportation projects, including scoping, scheduling, financial management, preliminary and final design and construction. Skilled in a broad general use of planning, program, and project management techniques and principles, as well as general public and community communication practices.

Professional Experience

Wisconsin Department of Transportation **June 1976 – July 2012**

March 1992 to July 2012, served in various District/Region Manager positions

North Central Region Planning and Programming Manager *May 2006 – July 2012*

Responsible for leading a professional staff in longer range planning of region transportation facilities, program development and management of state and local highway projects, for access management along the state transportation system, and leading in the development of regional tribal inter-relationship efforts.

District 4 (Wisconsin Rapids) Project Development Manager *June 1998 – May 2006*

Responsible for leading professional staff and consultants in the development and implementation of a large program of scheduled projects.

District 4 Chief Construction Engineer *April 1996 – June 1998*

Responsible for leading professional staff and consultants in the implementation of construction contracts, materials quality control, and labor compliance.

District 4 Design Engineer *March 1994 – April 1996*

Lead professional engineering teams and consultants in the design of a broad spectrum of highway projects.

District 4 Planning, Programming and Local Assistance Manager *March 1992 – January 1994*

Responsible for leading an experienced staff in all aspects of program development, long range planning, and assisting local government with transportation program assistance.

Construction Supervisor, District 1 (Madison) *November 1985 – March 1992*

One of five supervisors responsible for leading staff and consultants in the implementation of a large and diverse highway construction program.

Staff Engineer, District 7 (Rhinelander) *December 1980 – November 1985*

Served in the design, construction and planning pool, with various assignments to develop a broad understanding of engineering skills to deliver transportation projects.

Staff Engineer, District 8 (Superior) *June 1976 – December 1980*

Served in the design, construction and planning groups.

Education

Michigan Technological University, BSCE in Civil Engineering, Class of '76

Professional Certification

Registered Professional Engineer in Wisconsin since June 1980

City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481

Public Works
Engineering Department:
Phone: 715-346-1561
Fax: 715-346-1650

Streets Department:
Phone: 715-346-1537
Fax: 715-346-1687

December 3rd, 2013

To: Board of Public Works

From: Scott Schatschneider, Director of Public Works

Re: 100 Second St. North and 104 Second St. North Relocation Order:

Recently, a property at the Northwest Quadrant of the intersection of Second Street North and Maria Drive has come up for sale. Given the property's location and condition, staff believes this is a project worth pursuing and wanted to present our ideas to the Board of Public Works.

Due to the property's location, the intersection of Second Street North and Maria is offset which in turn creates a confusing situation for motorists and pedestrians. The actual building is so close to Second Street North that any vehicle attempting to go East on Maria Drive has to pull into the intersection to see around the building. The portion of Maria Dive that is adjacent to this building only has a 30 foot Right of Way. This lack of Right of Way has created hardships for the City in terms of trying to make any type of improvements in this immediate area.

Another aspect to consider for this potential project is this intersection is the main entrance for vehicles and buses accessing Madison Elementary. Given the physical constraints listed in the previous paragraph, school buses and passenger vehicles coming and going need to use a significant amount of patience and caution. In addition, this intersection also serves as a pedestrian school crossing zone.

Photos of the property and the intersection have been included with this memo.

If this project is allowed to move forward, a formal process will need to be followed pursuant to Wisconsin State Statutes ***Chapter 32 Eminent Domain***. I sent an introduction letter and the pamphlet pursuant to Chapter 32 to the two property owners that may be affected by this potential project. I did not want the property owners to learn about this project in a second hand type of nature. Copies of the introduction letter(s) and pamphlet have been included with this memo for your review.

In addition, you will also notice in your packet a document called RELOCATION ORDER. This document is also part of the process and was included to help further describe the physical area required. From the drawing you will notice an additional ten feet of interest from the property owner to the north at 104 Second Street North. This additional ten feet is important in order for the northerly R/W lines which run east and west to line up. This will allow us to have the necessary room to make proper improvements currently and give the City the ability to make improvements in the future, if necessary.

Thank you for your time and consideration.

Sincerely,

Scott Schatschneider

Scott Schatschneider
Director of Public Works

MICKEY'S

Mickey's
Kent's Service Center
& Towing Inc.
345-1010
08.06.2008

Mickey's
PIZZA
italian & american
FOOD
08.06.2008

08.06.2008

Mickey's
Kent's Service Center
& Towing Inc.
345-1010
24 HOUR TOWING
Mickey's
NO PARKING IN THIS LOT
08.06.2008

08.06.2008

KENT'S SERVICE CENTER & QUALITY LUBE

KENT'S SERVICE CENTER
& QUALITY LUBE

City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481-3594

Public Works
Engineering Department

Phone: 715-346-1561
Fax: 715-346-1650

November 26, 2013

Joan P. Lodzinski Survivor's Trust
Joan P. Lodzinski, Trustee
425 West Wilson Ave.
Stevens Point, WI 54481

Re: City of Stevens Point's Potential Acquisition of 100 Second St. North

Dear Ms. Lodzinski:

In light of the property at 100 Second St. N being listed for sale, the City of Stevens Point is considering acquiring it in order to improve traffic and pedestrian safety at the intersection of Second St. N and Maria Dr. As such, the City is legally obligated to inform you of your rights under state law and provide certain other information as required under section 32.05 of the Wisconsin Statutes. Please see and review the informational packet included with this letter.

The City's acquisition of the property requires approval by the City Council, which has not yet occurred. The purpose of this letter is simply to inform you of the potential for such acquisition and advise you of your rights should that process move forward. If you have any questions, please contact me at 715-346-1564.

Sincerely,

Scott Schatschneider

Scott Schatschneider
Director of Public Works
City of Stevens Point

cc: File
Mayor Halverson

Enclosure: The Rights of Landowners Under Wisconsin Eminent Domain Law Brochure

City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481-3594

Public Works
Engineering Department

Phone: 715-346-1561
Fax: 715-346-1650

November 26, 2013

Kent's Service Center/Towing
Kent Worzalla
1608 Woodview Dr.
Stevens Point, WI 54482

Re: City of Stevens Point's Potential Acquisition of a Portion of 104 Second St. North

Dear Mr. Worzalla:

In light of the property at 100 Second St. N being listed for sale, the City of Stevens Point is considering acquiring it in order to improve traffic and pedestrian safety at the intersection of Second St. N and Maria Dr. The City's preliminary drawings of such intersection improvements indicate that a small portion along the southern edge of the 104 Second St. N property would also be required for right of way acquisition. As such, the City is legally obligated to inform you of your rights under state law and provide certain other information as required under section 32.05 of the Wisconsin Statutes. Please see and review the informational packet included with this letter.

The City's acquisition of the property in question requires approval by the City Council, which has not yet occurred. The purpose of this letter is simply to inform you of the potential for such acquisition and advise you of your rights should that process move forward. If you have any questions, please contact me at 715-346-1564.

Sincerely,

Scott Schatschneider

Scott Schatschneider
Director of Public Works
City of Stevens Point

cc: File
Mayor Andrew Halverson

Enclosure: The Rights of Landowners Under Wisconsin Eminent Domain Law Brochure

THE RIGHTS OF LANDOWNERS

Under Wisconsin Eminent Domain Law

Procedures Under
sec. 32.05
Wisconsin Statutes

Highways, Streets, Storm & Sanitary Sewers, Watercourses, Alleys, Airports, and Mass Transit Facilities

Revised February, 2012

FOREWORD

This pamphlet is published by the Wisconsin Department of Administration in cooperation with the Attorney General, pursuant to sec. 32.26 (6), of Wisconsin statutes. The pamphlet is to be given to property owners or their representatives by the acquiring authority prior to initiation of negotiations for property being acquired for a public project.

The material in this pamphlet provides information on how the condemnation process works in Wisconsin. It should serve as a reference for you, but it is not intended to cover every possible eventuality or every right you may have in individual cases. A further source of information is Chapter 32 of the Wisconsin statutes which contains the law that is summarized in this pamphlet.

Direct questions about this pamphlet to:
Relocation Unit
State Energy Office
Wisconsin Department of Administration
P.O. Box 7868, Madison, WI 53707
(608) 267-0317

The Department of Administration does not discriminate on the basis of disability in the provision of services or in employment. If you need this printed material interpreted or in a different form, or if you need assistance with DOA services, please contact us.

INTRODUCTION

Community growth sometimes necessitates the public's need to own certain properties and right-of-ways for the greater public good. This need may conflict with private ownership. Consequently, government has had to resort to its right to acquire private land for public uses even without the consent of private owners—the eminent domain power.

This power derives from the Wisconsin Constitution, Art. IX, sec. 3. The Legislature has delegated this power by statute to numerous authorities and has specified the purposes for which such power can be used. Generally, departments, municipalities, boards, commissions, public officers, and various public and quasi-public corporations are delegated this power. Some of the purposes for which the Legislature has specified that condemnation can be used are highway construction or improvement, reservoirs, dams, public utility sites, waste treatment facilities, city redevelopment and energy lines.

> FEDERAL LAW
> When a project is receiving federal financial assistance, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) may provide additional or different protections than those outlined in this pamphlet. You should receive supplemental information from the acquiring authority if federal law applies.

Wisconsin has long had statutes regulating the exercise of eminent domain power. This pamphlet is intended to give citizens information about Wisconsin's eminent domain procedure, the workings of the condemnation process, and the rights of property owners in this process. It is, by necessity, of a general nature and is not a substitute for legal advice in individual cases, since many aspects of Wisconsin law cannot be covered in general terms. Another source of information for citizens is the particular authority which is acquiring the property.

The goal is to achieve equality of information for both parties during the negotiation process and to reach satisfactory settlements, equitable to both the property owner and the public.

THE LANGUAGE OF EMINENT DOMAIN

(This glossary defines terms used in the pamphlet)

Acquiring Authority
A public or quasi-public entity vested with the constitutional or statutory power to acquire private property for a public use.

Additional Items Payable
Persons displaced by the public project are to be fairly compensated by the payment of relocation assistance and assistance in the acquisition of replacement housing.

Appraisal
A written report, by a professional and disinterested person skilled in valuation, describing the property that is to be acquired and reaching a documented conclusion as to the fair market value of such property.

Award of Compensation
A document which is served upon a property owner after a refusal of a jurisdictional offer, stating the amount of just compensation. It names all persons with a record interest in the property, describes the property acquired, and includes the date of occupancy by the acquiring authority. The recording of this document passes title in the property to the acquiring authority. This term also describes the payment made to the property owner for the property. For negotiated sales, the amount of compensation is stated in the conveyance.

Condemnation Commission
A group of local residents, appointed by the circuit court of a county for fixed terms, who have the authority to determine just compensation for the property being acquired.

Date of Acquisition and Date of Evaluation
The day on which the award of compensation is recorded in the office of the register of deeds in the county where the land is located. The fair market value of the property on this day is just compensation to the property owner for the acquisition. For negotiated sales, the date of acquisition and the date of evaluation is the date the conveyance is recorded with the register of deeds.

Easement
An interest in real property which gives the acquiring authority the legal right to use the property for a specific purpose or to restrict the property owner's use of the land. Ownership and title to the property remain with the property owner.

Eminent Domain
The power of the state to acquire private property for a public use.

Fair Market Value
The amount for which property could be sold in the open market between a willing buyer and a willing seller.

Full Narrative Appraisal
A detailed and comprehensive description of the process an appraiser uses to reach a documented conclusion of a property's fair market value. The report must contain the appraiser's rationale for determining value and be documented by market data which supports the appraiser's rationale.

Incidental Expenses
Reasonable and necessary amounts, defined by statute, payable to the owner of real property acquired for a public use. Generally, incidental expenses compensate for expenses you may incur in transfer of your property to the acquiring authority. They include recording fees, mortgage prepayment penalties and other items.

Jurisdictional Offer
A written notice given by the acquiring authority to the owner of property and any mortgagee of record which informs the recipients of the proposed public use, what property is being acquired, and the amount of compensation to be paid.

Kline Law
A special condemnation procedure provided by the Legislature for condemnations by the City of Milwaukee.

Lis Pendens
A notice filed with the register of deeds within 14 days of the jurisdictional offer to notify all interested parties that the property described is in the process of being acquired for a public use.

Litigation Expenses
The sum of the costs, disbursements and expenses including reasonable attorney, appraisal and engineering fees necessary to prepare for, or participate in, actual or anticipated proceedings before a condemnation commission or any court.

Relocation Order
An order issued by the acquiring authority describing the proposed public project. It describes the old and new locations and includes all property needed for the project. Within 20 days after its issuance it must be filed with the county clerk in the county in which the lands are located.

Severance Damages
Damages which may result when only part of a person's property is condemned. Generally, these items of damage compensate for any loss in value of the remaining property due to the acquisition.

Uneconomic Remnant
Any portion of the property remaining after a partial acquisition which is of little value or substantially impaired economic viability due to its size, shape or condition.

PART ONE
BEFORE NEGOTIATIONS TO ACQUIRE PROPERTY BEGINS

After you have been contacted by the acquiring authority, you have the right to a full narrative appraisal of the property sought to be acquired. This appraisal is done by an appraiser hired or employed by the agency, and the law requires the appraiser to confer with the owner or the owner's representative, if reasonably possible, when making the appraisal. Any and all appraisals made by the acquiring authority must be provided to you.

You have the right to have your own full narrative appraisal of the property made by a qualified appraiser. The reasonable cost of this appraisal may be submitted to the acquiring authority for payment, if the appraisal meets the standards set forth in sec. 32.09 of Wisconsin statutes, but, if you have such an appraisal made and wish to be paid for its cost, it must be submitted to the authority within 60 days after you receive the authority's full narrative appraisal. Your appraisal will be considered during negotiations.

The acquiring authority is required to file a relocation order with the county clerk of the county in which your property is located, unless the appraisal estimates that compensation will be less than $1,000 in the aggregate. This order describes the layout of the project, old and new locations, and the property interests sought to be acquired. It must be filed within 20 days after its issuance by the agency, and is available for public inspection.

If a public project, other than a town highway, involves the acquisition of any interest in any farm operation of more than five acres, the Department of Agriculture, Trade and Consumer Protection (DATCP) may be required to prepare an agricultural impact statement prior to the acquisition of any land. Even if the acquisition is less than five acres, DATCP may prepare a statement if the acquisition will have a significant effect on the farm operation.

If an environmental impact statement is required by another statute, the requirements of the agricultural impact statement may be met by the environmental impact statement. Also, if an

easement for an electric transmission line, excluding a high voltage line, is being acquired over a farm operation, an agricultural impact statement is not required.

A “farm operation” is defined by law as an activity conducted primarily for the production of commodities for sale or home use in such quantity that the commodities contribute materially to the support of the farm operator. The acquiring authority may gather the necessary information for the impact statement. DATCP must prepare the statement within 60 days after receiving the information from the acquiring authority. After preparation, the statement must be published by DATCP. For a 30 day period after publication, the acquiring authority is precluded from negotiating with the property owner or making a jurisdictional offer.

The law also requires that the agricultural impact statement be distributed by DATCP to various offices and individuals. You can obtain a copy from your local library or from any local unit of government in the area affected. You may also request a copy directly from DATCP.

PART TWO
THE NEGOTIATION PERIOD

After a relocation order has been filed and appraisals are completed, the acquiring authority must attempt to negotiate with the owner or the owner’s representative for purchase of the needed property. The statutes require that you be provided an informational pamphlet on eminent domain procedure before negotiation begins. If you are also displaced as a result of the acquisition, the law requires that you receive a pamphlet on relocation benefits. The owner’s full narrative appraisal must be considered as a part of the negotiation. Also, any rights you may have for additional items payable (relocation benefits) can be included in the negotiations.

During negotiations, the acquiring authority must provide a map showing all property affected by the proposed project. Along with this map you must be given the names of at least 10 neighboring landowners to whom offers are being made. The names of all offerees if less than 10 owners are affected must be given. Any maps in the possession of the authority showing the property affected can be inspected, and copies will be made available at reasonable cost. At this point, condemnation is not involved, only negotiations for purchase.

If you agree to a negotiated purchase, the acquiring authority must record the conveyance with the register of deeds in the county where the land is located. Also, all owners of record should receive by certified mail the conveyance and a notice of their right to appeal within six months after the date of the recording of the conveyance. Such an appeal would challenge the amount of compensation received by the property owner. The procedure used for this appeal is described in Parts 6 and 7 of this pamphlet, except that an appeal from a negotiated price must be taken within six months. The date the conveyance is recorded is the date of acquisition.

PART THREE
PARTIAL ACQUISITIONS AND EASEMENTS

If only a part of your property is acquired, other than for an easement, two different calculations may be made to determine the fair market value of the part acquired. In such partial acquisitions, fair market value is the greater amount of either the fair market value of the part acquired or the difference between the value of your property before the acquisition and its value after, giving effect to severance damages set forth in sec. 32.09 of Wisconsin Statutes.

If only part of your property is acquired and you are left with an uneconomic remnant, the acquiring authority must also offer to acquire the uneconomic remnant. You must consent to the acquisition in order for the remnant to be acquired.

When an easement over your property is acquired, the compensation required is the difference between the value of your property immediately before the date of evaluation and its value immediately after the date of evaluation. Severance damages may also be paid where such damages exist and are allowed by statute.

If your land is zoned or used for agricultural purposes and an easement is acquired for a high voltage transmission line or a fuel pipeline, you will be entitled to choose between a lump sum payment for the easement or an annual payment representing just compensation for the acquiring of the easement for one year. The acquiring authority should be able to answer any questions on your eligibility for this choice and the terms of each alternative. Sec. 32.09 (6r) (a), (b), and (c) of Wisconsin statutes details the law on lump sum versus annual payments.

PART FOUR
THE JURISDICTIONAL OFFER TO PURCHASE

If negotiations do not lead to a purchase of the needed interest by the acquiring authority, a jurisdictional offer must be given to the owner and to any mortgagee of record. You will receive the notice by personal service or by certified mail.

This very important document will provide you with vital information on the acquisition of your property. Items that must be included are a statement of the nature of the project, a description of the property to be acquired, and a statement of the proposed date the acquiring authority will occupy the property. Included in the document is the amount of compensation to be paid for your property, including a statement that any additional items payable may be claimed for relocation assistance. An owner has 20 days from the receipt of this offer to accept or reject it.

Within fourteen days from the day you receive the jurisdictional offer, a lis pendens will be filed with the register of deeds in the county where the property is located. The lis pendens provides notice to any interested party of the possibility that the property may be acquired for a public use.

If you accept the jurisdictional offer, title will be transferred and you will be paid the amount specified in the offer within 60 days. This 60 day period can be extended by mutual written consent of the property owner and the acquiring authority. Incidental expenses for which you may be eligible under sec. 32.195 of the statutes relating to transfer of your property to the acquiring authority will also be paid. If the property owners of record reject the jurisdictional offer in writing, or do not act upon it within the 20 day period, the acquiring authority may make an award of compensation.

PART FIVE
THE AWARD OF COMPENSATION

This procedure allows the acquiring authority, after the jurisdictional offer is rejected or not accepted, to make a written declaration stating the amount of compensation to be paid, the description of the property, the date of occupancy and other information. The amount of compensation offered must be equal to or more than the amount of the jurisdictional offer. You will receive a copy of the award by personal service or certified mail.

You will then receive payment for your property, by check, for the amount of compensation provided in the award less any outstanding tax liens and prorated taxes. The acquiring authority may mail the check to you or deposit it with the clerk of the circuit court for your benefit. After payment is made, the award will be recorded with the register of deeds in the county where the land is located. This action passes title to the property to the acquiring authority. This date becomes the “date of acquisition” and any questions as to the value of your property will be resolved based on the value on this date.

PART SIX
HEARING BEFORE THE COUNTY CONDEMNATION COMMISSION

As of the date of acquisition, a property owner may appeal to the county condemnation commission from the amount of an award within two years, or from the amount of a conveyance within six months. This is accomplished by applying to the circuit court or county judge in the county where the land is located. Alternatively, this procedure may be waived and a property owner may appeal directly to circuit court. (See Part 7)

A county will have six to 12 commissioners, depending on the county population. They are local individuals, residents of the county or adjoining county, and are appointed by the circuit court. They serve staggered three year terms and generally sit in groups of three.

Within seven days after the chairperson of the commission is notified of the petition by the judge, three of the commissioners are selected to hear the case. The hearing date, time, and place are fixed by the chairperson, and will not be less than 20 days nor more than 30 days from the day the court assigned the petition to the chairperson. At least 10 days prior notice will be given to all parties. The commission proceedings are more informal than court proceedings, and are governed by statute. The amount of the jurisdictional offer or award of compensation cannot, by law, be disclosed to the commission. You have a right to appear and to present evidence. A majority of the members have the power to make all decisions. Within 10 days after the end of the hearing, a written award is made and filed with the clerk of circuit court. The clerk will notify the parties of the award.

Should the commission's award exceed the amount paid by the acquiring authority, and if neither party appeals from the award of the commission to the circuit court, interest is paid on the amount of the increase for the period from the date of acquisition until the date of the commission award, if the amount of the increase is paid within 14 days of the commission award.

If you or the acquiring authority are dissatisfied with the award of the condemnation commission, either can appeal to the circuit court of the county where the property is located. This must be done within 60 days of the filing of the condemnation commission's award. In case of such appeal by you or the acquiring authority , the amount of compensation awarded by the commission is not paid pending outcome of the appeal.

PART SEVEN
APPEAL OF JUST COMPENSATION TO CIRCUIT COURT

As of the date of acquisition, a property owner has two years to appeal from the amount of an award of damages, or six months to appeal from the amount of a conveyance. An owner may choose to go first to the condemnation commission (see Part 6), or go directly to circuit court.

The statutes require certain notices and papers to be filed to accomplish an appeal. It would be advisable to secure legal counsel to aid you in your appeal. The procedure may be found in sec. 32.05 (9) of Wisconsin statutes.

You have a right to a jury trial on the issue of just compensation. The measure of just compensation is the fair market value of the property acquired from you as of the date of acquisition, as calculated under sec. 32.09, stats.

You have the right to appeal from the judgment of the circuit court to the court of appeals within six months of the notice of the entry of judgment of the circuit court.

PART EIGHT
ACTION TO CONTEST THE RIGHT OF CONDEMNATION

This action challenges the right of the authority to condemn the property described in the jurisdictional offer. This action must be commenced in circuit court within 40 days from the postmark of the certified letter containing notice of the jurisdictional offer.

If you do not challenge the acquiring authority's right to acquire your property within this 40 day period, you will lose your right to do so.

In addition, if you accept and retain any money awarded for your property, you may not challenge the acquiring authority's right to acquire.

In this proceeding, you may challenge any defects in the procedure the authority has used and the "public" nature and necessity of the proposed use.

PART NINE
LITIGATION EXPENSES AND COSTS

The law provides for the payment of litigation expenses by the acquiring authority under any one of the following circumstances:

- if it is determined by a court that the acquiring authority does not have the right to condemn;
- if the award of the condemnation commission is greater than the jurisdictional offer, or the highest written offer prior to the jurisdictional offer, by at least $700. and 15%, and the award is not appealed;
- if the jury verdict approved by the court exceeds the jurisdictional offer or the highest written offer prior to the jurisdictional offer, by at least $700. and 15%.
- if the property owner appeals an award of the condemnation commission which exceeds the jurisdictional offer or the highest written offer prior to the jurisdictional offer, by at least $700. and 15%, and the court-approved jury verdict exceeds the award of the condemnation commission by at least $700. and 15%;
- if the acquiring authority appeals an award of the condemnation commission, and the court-approved jury verdict is $700. and 15% greater than the jurisdictional offer or the highest written offer prior to the jurisdictional offer;
- if the property owner appeals an award of the condemnation commission which is not 15% greater than the jurisdictional offer or the highest written offer prior to the jurisdictional offer, and court-approved jury verdict is at least $700 and 15% higher than the jurisdictional offer or highest written offer prior to the jurisdictional offer.

Unless you come under one of these specific categories, you will not be able to recover litigation expenses from the acquiring authority.

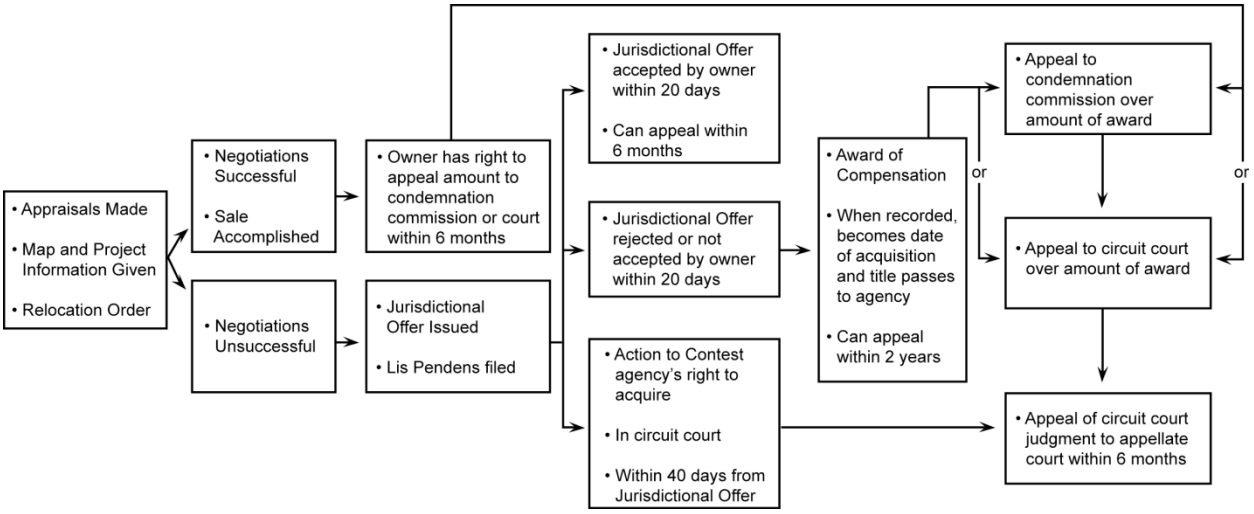
The Legislature has provided "costs" (statutorily determined payments to successful parties in proceedings challenging just compensation) to litigants who are successful but who do not fit into any of the categories mentioned above. If the just compensation awarded by the court or condemnation commission exceeds the jurisdictional offer or the highest written offer prior to the jurisdictional offer, the property owner will be deemed the "successful" party. You may be

required to pay “costs” to the acquiring authority if you are unsuccessful in challenging the compensation you have received or the acquiring authority’s right to acquire the property. “Costs” are defined in Ch. 814 of Wisconsin statutes.

PART TEN
OCCUPANCY

No occupant may be required to move from a dwelling or move a business or farm without at least 90 days’ written notice from the acquiring authority. An occupant shall have rent free use of the property for 30 days beginning with the 1st or 15th day of the month after title vests in an agency, whichever is sooner. Rent charged for use of a property between the date of acquisition and the date of displacement may not exceed the economic rent, the rent paid by a tenant to the former owner or the occupant’s financial means if a dwelling, whichever is less.

The acquiring authority may not require the persons who occupied the premises on the date title vested in the acquiring authority to vacate until a comparable replacement property is made available. If you damage or destroy any acquired property after the date that title vests in the acquiring authority, you may be liable for the damage.



Prepare Each Student To Be Successful
www.pointschools.net

Attila J. Weninger, Ph.D., Superintendent
Bliss Educational Services Center
1900 Polk Street, Stevens Point, WI 54481
EMAIL: aweninge@pointschools.net
TEL: (715) 345-5444 FAX: (715) 345-7302

STEVENS POINT AREA PUBLIC SCHOOL DISTRICT

December 3, 2013

Scott Schatschneider, Director
The Board of Public Works
City of Stevens Point
1515 Strongs Ave.
Stevens Point, WI 54481

Dear Mr. Schatschneider,

I am writing regarding the building and parcel located at 100 Second Street. The reason for our interest is that one of our Stevens Point elementary schools, Madison Elementary School, is located directly west of the building and parcel, on Maria Drive, and traffic flow to and from that area on Maria Drive has presented safety issues for our elementary students as they walk to and from school each day.

Currently, that parcel and building create a very narrow passage for motor vehicles that are entering and exiting Maria Drive off Second Street from any direction. Because line of sight is blocked from the north when turning west onto Maria Drive, this is a particularly hazardous intersection.

In addition, there is a fairly large volume of traffic at the intersection, Maria Drive and Second Street. Many students from Madison Elementary School must walk across that intersection and around either side of the building and parcel, causing another safety hazard. Due to the very limited, narrow passage way that Maria Drive presents on the south side of the building and parcel, there is no completely safe passage for students between the existing building and parcel and Maria Drive as they walk west to Madison Elementary School.

It is our understanding that the parcel of property and building at 100 Second Street, whose south side parallels Maria Drive, is now available for purchase. The District enthusiastically supports any effort by the City of Stevens Point to purchase this building and parcel, possibly remove the building structure, and widen Maria Drive. The addition of a wide travel area with open line of sight for drivers and students alike who use this intersection would be a valuable safety enhancement for them. Such an enhancement benefits the students, drivers, and community of Stevens Point.

If we can be of further support of this effort, please let me know.

Sincerely,

Attila J. Weninger, Ph.D., Superintendent

Cc Board of Education
Cabinet
Don Keck, Buildings and Grounds Manager
John Shepard, Transportation Supervisor

RELOCATION ORDER

Project Name: **Maria Drive Improvement Project**	Name of Street: **Maria Drive**
Right-of-way Plat Date: **December 9, 2013**	City, County: **Stevens Point, Portage County**
Previous approved Relocation Order Date: Not Applicable	Plat Sheet Number(s): **1 of 1**

That part of Lot One of Portage County Certified Survey Map Number 2612-9-170 and being part of the Southwest Quarter of the Northwest Quarter of Section 29, Township 24 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin described as follows:

Commencing at the west quarter corner of said section 29; thence North 89 degrees 46 minutes 41 seconds East along the east-west quarter line of said Section 29 a distance of 880.09 feet to its intersection with the center line of First Street North and the **Beginning of this Relocation Order** (Sta. 8+80.09); thence continuing North 89 degrees 46 minutes 41 seconds East along said quarter line 247 feet to its intersection with the center line of Second Street North and the **End of this Relocation Order** (Sta. 11+27.09).

To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the highway or road as designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project for the purpose of widening Maria Drive to it full width and re-designing the intersection of Maria Drive at Second Street North to improve safety.

To effect this change, pursuant to authority granted under Sections 32.05(1), 62.11(5), and 62.22(4) (d) Wisconsin Statutes, the Common Council of the City of Stevens Point orders that:

1. A map or plat is made showing the old and new locations and the required lands or interests in lands be shown on the plat. And that those lands shall be acquired by the City of Stevens Point through its City Attorney or agents, pursuant to the provisions of Chapter 32, Wisconsin Statutes.
2. The said street is laid out and established to the lines and widths as shown on said right of way plat.
3. The City Clerk is directed to file a copy of this Relocation Order and Relocation Map within 20 days after its issue with the Portage County Clerk, pursuant to the provisions of Chapter 32, Wisconsin Statutes.

APPROVED: _____
Andrew Halverson, Mayor

ATTEST: _____
John Moe, City Clerk

Dated: December 9, 2013

Adopted: December _____, 2013

Drafted by: Andrew Logan Beveridge, Stevens Point City Attorney

i:\topos\topo13\maria drive relocation\maria drive relocation order.doc

SCHEDULE OF LANDS AND INTERESTS

PARCEL NUMBER	OWNER	INTEREST REQUIRED	TOTAL SQ.FT. AREA	TOTAL SQ.FT. REQUIRED	TOTAL SQ.FT. REMAINING
1	JOAN P LODZINSKI SURVIVOR'S TRUST JOAN P LODZINSKI TRUSTEE	FEE	4,324	4,324	0
2	104 2ND ST. LLC C/O KENT WORZALLA	FEE	29,950	1,810	28,140

REVISION DATE	R/W PROJECT MARIA DRIVE IMPROVEMENT PROJECT	SHEET NUMBER
	FEDERAL R/W PROJECT NUMBER N/A	1 of 1

PLAT OF RIGHT OF WAY REQUIRED FOR

MARIA DRIVE IMPROVEMENT PROJECT

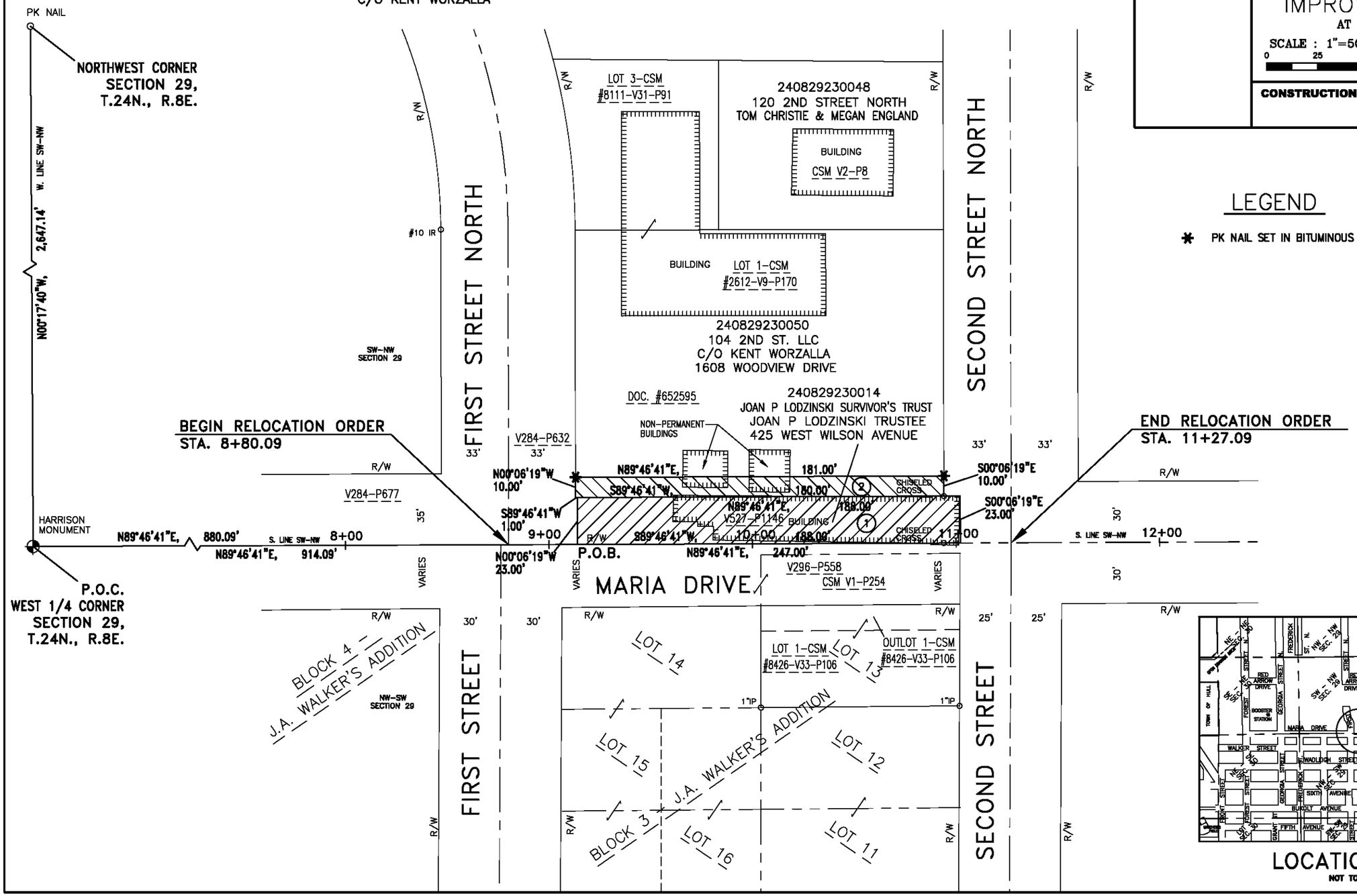
AT SECOND STREET NORTH

SCALE : 1"=50FT. (0 25 50)

CITY OF STEVENS POINT

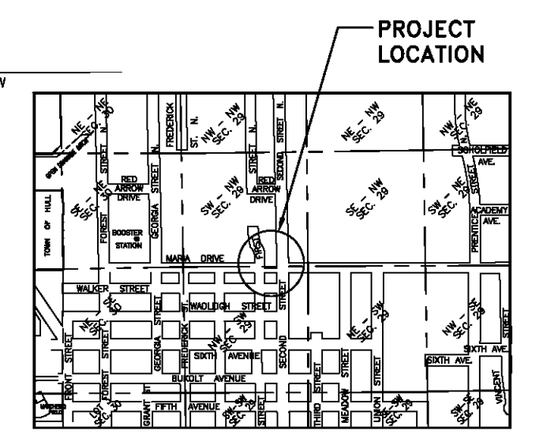
DATE: 12-9-2013

CONSTRUCTION PROJECT NUMBER XX-XX



LEGEND

✱ PK NAIL SET IN BITUMINOUS



LOCATION MAP

NOT TO SCALE

City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481-3594

Public Works
Engineering Department

Phone: 715-346-1561
Fax: 715-346-1650

December 3rd, 2013

To: Board of Public Works

From: Scott Schatschneider, Director of Public Works

Re: Parking Concerns along Wilshire Boulevard North adjacent to the Kwik Trip located at 3533 Stanley Street:

The Engineering Department was recently contacted by Bonnie Vawislan who requested her concerns be brought before the Board of Public Works regarding vehicles parking on both sides of Wilshire Boulevard North adjacent to Kwik Trip. Ms. Vawislan is attempting to sell the vacant lot across the street and when perspective buyers view the property, concerns regarding the number of cars parked in front on this property are expressed. Ms. Vawislan has asked if parking along Wilshire North Boulevard North between Stanley Street and Doolittle Drive could be eliminated.

Staff has received concerns in the past regarding the number of vehicles parked in this particular area of Wilshire Boulevard. The parked vehicles do create sight distant issues for people coming and going from Kwik Trip and creates a narrowed roadway section, especially if someone doesn't pull over far enough onto the shoulder of the road.

Two attachments with photos are included with this memo. The first photograph is an overview of the area and indicates the lot that is for sale and the proximity to the Kwik Trip. The second attachment is photos taken to help indicate the number of cars that were parked at a random time.

Sincerely,

Scott Schatschneider

Scott Schatschneider
Director of Public Works

Stanley Street
Stanley Street
Wilshire Boulevard North
LOT FOR SALE
KIWIK TRIP
Doolittle Dr
© 2012 Pictometry

12/02/2013 09:25

12/02/2013 09:25

12/02/2013 09:25

12/02/2013 09:25

12/02/2013 09:26

TEXT 31706 to DATA
FIRSTWEBER
REALTORS
firstweber.com
PETER J. HARRIS
715-498-6688
12/02/2013 09:27

WILSHIRE
STANLEY
12/02/2013 09:27

City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481

Public Works
Engineering Department:
Phone: 715-346-1561
Fax: 715-346-1650

Streets Department:
Phone: 715-346-1537
Fax: 715-346-1687

December 3rd, 2013

DIRECTOR OF PUBLIC WORKS REPORT
Scott Schatschneider

1. Engineering Division

- **Business 51 Status Report:**

  The third Public Informational Meeting was held at Jefferson Elementary on Wednesday, November 20th. The meeting had a significant number of people attend and a number of people voiced their concerns. As a result of the meeting we are in the process of re-evaluating of where we are at as far as public involvement and what our next step should be.

- **E.M. Copps Extension:**

  E.M. Copps Drive was paved the week of November 18th. The pedestrian trail will be paved in the spring along with some minor landscaping items.

- **Fire Station #1:**

  Speaking with the architect and general contractor work is scheduled to begin January 6th.

- **Seawall Schedule Checklist**

	AGENCY	TASK	APPROXIMATE DATES
☒	City/NewPage	City accepts/allocates Construction money and Bidding/awarding of contracts in conjunction with NewPage	Began Construction: August 5th Construction Complete: October 11th
☒	NewPage/ AECOM/EDC	Submission of Construction Report (39 pages) and "As-Built Drawings" to FERC for Federal Licensing.	Thursday, October 31st (up to 60 days for review and approval)
☐	AECOM	Submit FERC's approval Letter and the CLOMR to FEMA	Submission would be January 2nd. FEMA review time at this point is extended from 90 days to 150 days.

A construction cost report has been attached to the Director's Report for your review.

In speaking with Tom Witt, the City will be responsible for review fees associated with the FERC licensing procedure. Those costs are estimated to be under $10,000.00.

- **Additional Ongoing Director\City Engineer\City Surveyor Projects**
  - The Engineering Department has been working on a number of items and helping assist other departments in regards to design and project delivery:
    1. E. M. Copps Drive extension construction.
    2. Strong's Parking Lot construction.
    3. Washington Terrace Subdivision.
    4. Finalizing 2013 construction projects.
    5. Whiting Avenue Pit Crushing Contract

2. Streets Division

- **Street work**
  - Continued garbage and recycling operations.
  - Sign work continued.
  - Street lamp maintenance continued.
  - Pit operations continued.
  - Patching continued.
  - Street Sweeping continued.
  - Christmas Decorations completed.
  - Iverson Oak Wilt harvest began.
  - Snow/Ice operations began.

- **Equipment maintenance/garage**
  - There were a total of 77 repair orders completed in the month of November. When broke down by department there were;

Engineering	1
Inspection/Development	1
Police	2
Parks	18
Fire	7
Streets	47
Water/Waste water	1

- **Signs, posts, barricades, and flags**
  - 51 signs were replaced or added, 4 because of accidents, 32 for usual maintenance, 2 signs were moved, 6 new signs were put up and 7 because of vandalism.
  - 6 poles were replaced or added, 2 because of accidents, 1 for usual maintenance, 2 were moved and 1 new pole was put up
  - Flags were put up and taken down for Veterans Day.
  - Barricades and barrels were put up and taken down for the Christmas parade.

- **Garbage/recycling/yard waste/drop-off**
  - Garbage and recycling carts repaired/replaced/distributed as needed.
  - Regular and Holiday solid waste collection completed.
  - Regular and Holiday recycling collection completed.
  - City drop-off operations were completed.

- **Leave**
  - 9 floating holidays, 7 days 4 hours of sick, 111 days 4 hours of vacation and 1 day 5.5 hours of work comp. time were utilized.

Seawall Project Invoices
401.57.70320.8230

Acct. Number
Contract Amt.

Bill Dates	Invoice #	Invoice Description	Total Invoice	
09/11/13	87708	ACME Galvanizing Inc.	$ 211.20	$ 211.20
11/06/13	37390928	AECOM Technical Svc.	$ 437.00	
09/03/13	37373888	AECOM Technical Svc.	$ 869.63	
08/05/13	37365858	AECOM Technical Svc.	$ 125.00	
07/09/13	37357871	AECOM Technical Svc.	$ 670.75	
06/04/13	37348290	AECOM Technical Svc.	$ 1,180.00	
05/07/13	37340435	AECOM Technical Svc.	$ 781.25	
04/09/13	37332041	AECOM Technical Svc.	$ 2,315.75	
03/07/13	37323329	AECOM Technical Svc.	$ 580.75	
02/06/13	37314581	AECOM Technical Svc.	$ 329.75	
01/09/13	37305887	AECOM Technical Svc.	$ 3,975.77	$ 11,265.65
09/03/13	589-109356	Conway Freight	$ 482.72	$ 482.72
08/19/13	78	EDC Management Corp.	$ 3,360.00	
08/30/13	90	EDC Management Corp.	$ 2,220.00	
10/31/13	121	EDC Management Corp.	$ 5,975.00	$ 11,555.00
09/09/13	WISTE157988	Fastenal Company	$ 14.40	
09/06/13	WISTE157912	Fastenal Company	$ 239.97	$ 254.37
09/03/13	7225	Feltz Lumber	$ 186.00	$ 186.00
08/15/13	1	Gremmer & Associates, Inc.	$ 2,418.64	
09/25/13	2	Gremmer & Associates, Inc.	$ 585.27	
09/18/13	3	Gremmer & Associates, Inc.	$ 567.19	$ 3,571.10
08/27/13	218898	Londerville Steel Enterprises Inc.	$ 599.29	$ 599.29
10/16/13	87279	Miron Construction Co Inc.	$ 21,046.30	
10/16/13	87278	Miron Construction Co Inc.	$ 122,797.59	
11/14/13	88314	Miron Construction Co Inc.	$ 3,701.48	
11/14/13	88315	Miron Construction Co Inc.	$ 411.51	$ 147,956.88
10/11/13	W2008	Newpage	$ 7,242.26	$ 7,242.26
09/03/13	100786	Nummelin Testing Services, Inc.	$ 357.00	
10/01/13	10875	Nummelin Testing Services, Inc.	$ 142.50	$ 499.50
09/10/13	108619	Sutton Transport, Inc.	$ 81.46	$ 81.46
11/04/13	72533	Van Ert	$ 10,186.94	
11/07/13	72652	Van Ert	$ 274.31	$ 10,461.25
09/17/13	0265611-IN	Wisconsin Valley Concrete	$ 91.13	
09/16/13	0265564-IN	Wisconsin Valley Concrete	$ 1,182.00	
09/13/13	0265491-IN	Wisconsin Valley Concrete	$ 13.95	
09/12/13	0265374-IN	Wisconsin Valley Concrete	$ 194.80	
09/11/13	0265257-IN	Wisconsin Valley Concrete	$ 594.00	
09/10/13	0265248-IN	Wisconsin Valley Concrete	$ 664.73	
09/06/13	0265111-IN	Wisconsin Valley Concrete	$ 12.95	
09/06/13	0265072-IN	Wisconsin Valley Concrete	$ 693.00	
09/03/13	0264891-IN	Wisconsin Valley Concrete	$ 217.75	
09/03/13	0264846-IN	Wisconsin Valley Concrete	$ 594.00	
08/29/13	0264710-IN	Wisconsin Valley Concrete	$ 594.00	
08/27/13	0264593-IN	Wisconsin Valley Concrete	$ 594.00	
08/23/13	0264466-IN	Wisconsin Valley Concrete	$ 594.00	
08/21/13	0264369-IN	Wisconsin Valley Concrete	$ 618.75	
08/16/13	0264211-IN	Wisconsin Valley Concrete	$ 221.40	
08/15/13	0264127-IN	Wisconsin Valley Concrete	$ 383.45	
08/15/13	0264089-IN	Wisconsin Valley Concrete	$ 594.00	
08/13/13	0264011-IN	Wisconsin Valley Concrete	$ 105.00	
08/13/13	0264010-IN	Wisconsin Valley Concrete	$ 7,198.98	
08/13/13	0263977-IN	Wisconsin Valley Concrete	$ 495.00	
08/12/13	0263939-IN	Wisconsin Valley Concrete	$ 498.08	
08/12/13	0263938-IN	Wisconsin Valley Concrete	$ 1,323.00	$ 17,477.97
		TOTAL	**$ 211,844.65**	

Project	60239982
Project Name	Business 51 EA
Last Update	12/5/2013

		Current Approved Budget					Inception to Date Actuals					Remaining Budget			
		Cost				Revenue	Cost				Revenue	Cost	Revenue		
Task #	Task Name	FBL	Subs	ODC	Total	Total	FBL	Subs	ODC	Total	Total	Total	Total	Task #	Task Name
Totals		502,275	264,803	5,774	775,351	820,578	308,453	105,897	4,490	418,840	443,825	356,511	376,753		
01.01	Management	26,422	-	455	26,877	29,151	21,937	-	461	22,398	23,693	4,479	5,459	01.01	Management
01.02	Project Coordination	8,174	-	24	8,198	9,022	8,174	-	24	8,198	8,680	**0**	341	01.02	Project Coordination
01.03	Project Setup	214	-	-	214	236	214	-	-	214	227	**0**	9	01.03	Project Setup
01.04	Kickoff/OPM	1,681	-	1	1,682	1,851	1,681	-	1	1,682	1,781	**-**	70	01.04	Kickoff/OPM
01.05	Public/Agency Partic	5,415	-	265	5,681	6,226	5,415	-	265	5,681	6,000	**0**	226	01.05	Public/Agency Partic
02.01	Data Collection	3,383	-	-	3,383	3,724	3,383	-	-	3,383	3,583	**(0)**	141	02.01	Data Collection
02.02	POB-Field Survey	522	44,449	-	44,971	45,023	522	44,449	-	44,971	44,971	**(0)**	52	02.02	POB-Field Survey
02.03	Nummelin-Geotech	-	4,810	-	4,810	4,810	-	4,610	-	4,610	4,610	**200**	200	02.03	Nummelin-Geotech
02.04	Base Right of Way	17,384	-	305	17,689	19,421	2,965	-	-	2,965	3,140	**14,724**	16,281	02.04	Base Right of Way
02.05	Constraints Map	743	-	-	743	818	743	-	-	743	787	**(0)**	31	02.05	Constraints Map
03.01	Traff/Saf.Conceptual	49,041	-	357	49,398	53,580	49,041	-	357	49,398	52,292	**-**	1,289	03.01	Traff/Saf.Conceptual
03.02	Conceptual Alternat	2,100	-	137	2,237	2,311	2,100	-	137	2,237	2,361	**0**	(50)	03.02	Conceptual Alternat
03.03	Conceptual Agency	422	-	-	422	464	422	-	-	422	446	**-**	18	03.03	Conceptual Agency
03.04	Preliminary Alternat	14,081	-	-	14,081	15,500	14,081	-	-	14,081	14,912	**(0)**	588	03.04	Preliminary Alternat
03.05	Traffic&Safety Pre	31,641	-	-	31,641	34,829	34,029	-	126	34,155	36,163	**(2,514)**	(1,334)	03.05	Traffic&Safety Pre
03.06	Asses Env Eff.-Pre	41,803	-	687	42,490	45,899	41,781	-	687	42,468	44,933	**22**	966	03.06	Asses Env Eff.-Pre
03.07	Pre. Alt. Mapping	10,881	-	20	10,901	11,984	11,898	-	260	12,158	12,860	**(1,257)**	(876)	03.07	Pre. Alt. Mapping
03.08	Pre. Agency	2,306	-	-	2,306	2,536	2,753	-	-	2,753	2,916	**(447)**	(380)	03.08	Pre. Agency
04.01	Traff&Safety -Final	59,135	-	148	59,283	65,168	9,078	-	254	9,332	9,868	**49,951**	55,300	04.01	Traff&Safety -Final
04.02	Env Stud/Field Invs	55,536	-	10	55,547	61,071	4,497	-	19	4,516	4,782	**51,030**	56,289	04.02	Env Stud/Field Invs
04.03	Detail. Alt. Mapping	12,630	-	-	12,630	13,888	8,153	-	-	8,153	8,634	**4,477**	5,254	04.03	Detail. Alt. Mapping
05.01	PIP	1,968	-	163	2,131	2,329	1,968	-	163	2,131	2,247	**-**	82	05.01	PIP
05.02	Public Invol. Log	1,292	-	200	1,492	1,621	1,092	-	-	1,092	1,156	**401**	465	05.02	Public Invol. Log
05.03	Public Official Mtgs	13,519	-	1,382	14,901	16,058	20,118	-	413	20,531	21,718	**(5,630)**	(5,661)	05.03	Public Official Mtgs
05.04	PIM No.1	16,228	-	590	16,818	18,201	16,228	-	590	16,818	17,775	**(0)**	426	05.04	PIM No.1
05.05	PIM No.2	12,208	-	242	12,451	13,668	11,903	-	465	12,368	13,070	**83**	598	05.05	PIM No.2
05.06	PIM No.3	12,208	-	242	12,451	13,668	15,209	-	130	15,339	16,236	**(2,888)**	(2,568)	05.06	PIM No.3
05.07	Property Owner Mtg	22,487	-	-	22,487	24,728	10,180	-	138	10,319	10,919	**12,168**	13,809	05.07	Property Owner Mtg
05.08	Business Mtgs	12,624	-	286	12,909	14,165	4,132	-	-	4,132	4,376	**8,777**	9,789	05.08	Business Mtgs
06.01	Final Agency Coord	2,018	-	25	2,043	2,244	32	-	-	32	34	**2,011**	2,210	06.01	Final Agency Coord
07.01	Utility Coordination	3,307	-	25	3,332	3,662	-	-	-	-	-	**3,332**	3,662	07.01	Utility Coordination
08.01	Railroad Coord	1,902	-	5	1,907	2,097	-	-	-	-	-	**1,907**	2,097	08.01	Railroad Coord
09.01	EA Report	12,444	-	205	12,649	13,890	3,689	-	-	3,689	3,907	**8,960**	9,983	09.01	EA Report
09.02	FONSI	2,221	-	-	2,221	2,442	-	-	-	-	-	**2,221**	2,442	09.02	FONSI
09.03	GREMMER	-	162,481	-	162,481	162,481	-	-	-	-	-	**162,481**	162,481	09.03	GREMMER
10.01	Title Sheet	893	-	-	893	982	-	-	-	-	-	**893**	982	10.01	Title Sheet
10.02	Typical Sections	2,460	-	-	2,460	2,706	1,035	-	-	1,035	1,096	**1,424**	1,609	10.02	Typical Sections
10.03	Pre. Horizontal	4,362	-	-	4,362	4,796	-	-	-	-	-	**4,362**	4,796	10.03	Pre. Horizontal
10.04	Pre. Intersection	4,784	-	-	4,784	5,261	-	-	-	-	-	**4,784**	5,261	10.04	Pre. Intersection
10.05	Pre Vertical	8,724	-	-	8,724	9,593	-	-	-	-	-	**8,724**	9,593	10.05	Pre Vertical
10.06	Pre Storm Sewer	9,790	-	-	9,790	10,764	-	-	-	-	-	**9,790**	10,764	10.06	Pre Storm Sewer
10.07	City Utility Design	5,398	-	-	5,398	5,935	-	-	-	-	-	**5,398**	5,935	10.07	City Utility Design
10.08	WZTC	4,859	-	-	4,859	5,343	-	-	-	-	-	**4,859**	5,343	10.08	WZTC
10.09	RETTLER	-	16,000	-	16,000	16,000	-	-	-	-	-	**16,000**	16,000	10.09	RETTLER
10.10	Right of Way Concept	1,374	-	-	1,374	1,511	-	-	-	-	-	**1,374**	1,511	10.10	Right of Way Concept
10.11	Cost Estimate	1,690	-	-	1,690	1,858	-	-	-	-	-	**1,690**	1,858	10.11	Cost Estimate
11.01	Heritage Research	-	23,560	-	23,560	23,560	-	38,925	-	38,925	38,925	**(15,365)**	(15,365)	11.01	Heritage Research
11.02	AVD - Archaeological	-	13,502	-	13,502	13,502	-	17,913	-	17,913	17,913	**(4,411)**	(4,411)	11.02	AVD - Archaeological
12.01	Update Crash Rates	-	-	-	2,500	-	-	-	-	-	-	**2,500**	-	12.01	Update Crash Rates
0	0														
0	0												**383,570**		
0	0	-	-	-	-	-	-	-	-	-	-	**-**	-	0	0
0	0	-	-	-	-	-	-	-	-	-	-	**-**	-	0	0
0	0	-	-	-	-	-	-	-	-	-	-	**-**	-	0	0

Board of Water and Sewerage Commissioners
Monday, December 9, 2013
12:00 P.M.

MINUTES

***PRESENT*:** Paul Adamski, Eugene Tubbs, Jim Cooper, Mae Nachman and Carl Rasmussen.

***ALSO PRESENT*:** Joel Lemke, Gary Kuplic, Jeremy Cramer, Rob Molski, Jaime Zdroik and Angel Gebeau of AECOM.

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ADMINISTRATION

1. **Approval of minutes of the November 11, 2013 meeting.**

Motion made by Jim Cooper, seconded by Eugene Tubbs to approve the minutes of the November, 2013 Water & Sewerage Commission meeting.

Ayes all. Nays none. Motion carried.

II. ACCOUNTING

2. **Discussion and possible action on the following:**

a. Claims for the Water Department.

Paul Adamski presented the statement of claims for the Water Utility for November. The balance as of November 1, 2013 was $5,033,290.93; the bank deposits recorded in November 2013 was $812,249.58. Checks issued since the November 11, 2013 meeting numbered 47533 through 47582 were in the amount of $388,074.70. Checks numbered 47583 through 47605 for $38,436.18 were presented for action on December 9, 2013. The net balance on hand December 9, 2013 was $5,313,927.34.

Motion made by Mae Nachman, seconded by Carl Rasmussen to approve the Water Utility claims for the month November 2013 as audited and read.

Ayes all. Nays none. Motion carried.

b. Claims for the Wastewater Department.

Paul Adamski presented the statement of claims for the Sewage Treatment Utility for November. The balance as of November 1, 2013 was $4,798,531.95; the bank deposits recorded in November 2013 were $282,316.00. Checks issued since the November 11, 2013 meeting numbered 29987 through 30016 were in the amount of $131,905.51. Checks numbered 30017 through 30041 for $61,732.65 were presented for action on December 9, 2013. The net balance on hand December 9, 2013 was $4,758,051.52.

Motion made by Eugene Tubbs, seconded by Jim Cooper to approve the Sewage Utility claims for the month of November 2013 as audited and read.

Ayes all. Nays none. Motion carried.

c. Claims for Stormwater Department.

Paul Adamski also presented the statement of claims for the Stormwater Utility for November. The balance as of November 1, 2013 was $174,081.21. The bank deposits recorded in November 2013 were $70,502.10. Checks issued since the November 11, 2013 meeting numbered 1078 through 1085 were in the amount of $22,386.41. Checks numbered 1086 through 1093 for $9,761.43 were presented for action on December 9, 2013. The net balance on hand December 9, 2013 was $207,592.90.

Motion made by Mae Nachman, seconded by Carl Rasmussen to approve the Stormwater Utility claims for the month November 2013 as audited and read.

Ayes all. Nays none. Motion carried.

d. 2014 Capital Improvements and Operation & Maintenance Expenses.

Joel summarized the Capital Improvements and Operation & Maintenance Expenses for all utilities.

Joel also explained there was a typo listed under the Capital Assets & Improvements for the Stormwater Department, the estimated amount should be $16,000.00 not $11,000.00 for the hammer for the excavator.

Motion made by Carl Rasmussen, seconded by Eugene Tubbs to approve the 2014 Capital Improvements and Operation & Maintenance Expenses for the Water Department grand total of $316,500(less $40,000 carried over from 2013 for total approved amount of ***$276,500***); Sewer Department grand total of $1,313,700(less $322,200 carried over from 2013 for total approved amount of ***$991,500***); and Stormwater Department for a grand total of ***$283,000***.

Ayes all. Nays none. Motion carried.

e. Potential purchase of land in Wellhead Protection Area.

Ron Zimmerman of UWSP/Schmeekle Reserve contacted Joel regarding the Hyland property being for sale. The land is just northwest of the Stevens Point Municipal Airport and could possibly serve as Wellhead Protection to some degree due to it being generally up gradient of the wellfield.

The property is valued at $150,000. The University/Schmeekle plans on applying for a Forest Service grant that could cover 50% of the cost of the land. The remaining cost is proposed by the University/Schmeekle to be split between the City and a combination of the other parties including UWSP/Schmeekle and the Green Circle Trail, making the potential cost to the Water Department $37,500.

Joel recommends making that participation contingent on the successful receipt of the Forest Service grant and/or a maximum dollar amount.

Motion made by Eugene Tubbs, seconded by Mae Nachman to approve participating in the purchase of the Hyland property for Wellhead Protection in an amount of $37,500.00.

Ayes all. Nays none. Motion carried.

III. WATER OPERATIONS

3. **Report on water distribution operations.**

Gary stated things are going well. They are checking hydrants City-wide for possible frozen hydrants and rebuilding hydrants as necessary.

The water operation reports were distributed and reviewed.

A total of 393 valves have been operated in 2013.

4. **Report on water supply operations.**

Our pumpage in November was 138,403,000 gallons, an increase of 6,216,000 gallons of water from November 2012.

Jeremy stated Well 4 will be cleaned and inspected next week. This is done every 5 years.

IV. SEWAGE TREATMENT OPERATIONS

5. **Report on Collection System Maintenance.**

Rob stated everything is going well. The televising camera was not working but has since been repaired and they are back televising again.

The sewer report for the month of November was reviewed by the Commission.

6. **Report on sewage treatment operations.**

Jeremy stated everything is going good. Jeremy stated the reason for the drop in phosphorus is that there is extra phosphorus loading going through the plant when they are decanting.

B.O.D. (4 average ppm), Phosphorus (0.336 average ppm) and Suspended Solid (5.93 average ppm) limits were met for the month of November 2013.

V. STORMWATER OPERATIONS

7. **Report on Stormwater operations.**

To be covered in Item #8.

VI. DIRECTORS REPORT

8. **Report on bills rolled over to tax roll.**

The Water/Sewer amounts rolled to tax roll are down from the previous year but now that Storm rolls onto it that brought us over last year's grand total.

The Stormwater employees are picking up some snow removal duties at the Airport and that will be billed back.

The next Water & Sewerage Commission meeting will be on Monday, January 13, 2014 at noon.

VII. ADJOURNMENT

Motion made by Jim Cooper to adjourn the meeting.

Ayes all. Nays none. Motion carried.

MEETING ADJOURNED
12:28pm

BOARD OF WATER AND SEWERAGE COMMISSIONERS

EUGENE TUBBS, SECRETARY

Police and Fire Commission

City of Stevens Point
1515 Strongs Avenue
Stevens Point WI 54481

David Schleihs, President
(715) 346-1508

December 3, 2013
4:01 p.m.

1. **Roll Call:** Commissioners Hanson, Kirschling, Schleihs and Wescott
Commissioner Taylor, excused

Also Present: Police Chief Kevin Ruder, Fire Chief Tracey Kujawa, Director Sally McGinty, Assistant Chief Tom Zenner, Assistant Chief Martin Skibba, City Attorney Logan Beveridge, Alderperson Tony Patton, Police Officer Applicant Michael Long, Police Officer Applicant Robert Roser

2. **People to be heard and announcements**

None.

3. **Adjourn into closed session (approximately 4:00 p.m.) pursuant to Wis. Stats. Sec. 19.85 (1) (c) [considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility] for two officer applicant interviews.**

Commissioner Wescott moved, seconded by Commissioner Kirschling, to adjourn into closed session.

Ayes, all; nays, none. Motion carried.

4. **Reconvene into open session (approximately 4:30 p.m.) for possible action.**

Commissioner Schleihs moved, seconded by Commissioner Wescott, to reconvene into open session.

Ayes, all; nays, none. Motion carried.

Commissioner Schleihs moved, seconded by Commissioner Wescott, approval of hiring Michael Long as probationary Police Officer contingent upon the successful completion of all hiring protocols and testing.

Ayes, all; nays, none. Motion carried.

Commissioner Schleihs moved, seconded by Commissioner Hanson, approval of hiring Robert Roser as probationary Police Officer contingent upon the successful completion of all hiring protocols and testing.

Ayes, all; nays, none. Motion carried.

5. 2014 Budget update

The 2014 proposed budget passed Common Council at the November 18th meeting with the exception of Municipal Court. The Common Council would like more information before making a decision on Municipal Court. An informational presentation will be made in January.

6. City Pay Plan Study

The Pay Plan was approved by the Common Council.

Employees may appeal on the following basis:

- If the employee feels the consultant committed an error in classifying the position
- If the employee's job has changed significantly since the original Job Description Questionnaire

The deadline to appeal is December 20, 2013.

7. PFC Administrative Procedures

The administrative procedures will be discussed in January 2014. The section on residency will be finalized.

Commissioner Wescott moved, seconded by Commissioner Hanson, to postpone action to a future meeting date.

Ayes, all; nays, none. Motion carried.

8. Disciplinary procedures, with presentation from the City Attorney

City Attorney Logan Beveridge reported disciplinary actions within the Police Department and Fire Department are controlled by several levels of rules: statutes, local ordinance, PFC policy, department policy and labor agreements.

Commissioner Wescott moved, seconded by Commissioner Schleihs, to accept the City Attorney's presentation/memo and place it on file.

Ayes, all; nays, none. Motion carried.

9. Report on Transition Planning

Effective January 1, 2014 Police Department assignments are as follows:

- Records Bureau oversight, to include open records requests, will be handled by Lee Ann.
- Assistant Chief Skibba will oversee Information Technology.
- Parking enforcement is assigned to Sgt Babl.
- Update/rewrite of the Emergency Operations Plan will be handled by Director of Public Works Scott Schatschneider.
- PFC duties: President Schleihs will continue to develop meeting agendas. The Commission Secretary will assist President Schleihs as requested with agenda formulation and approval. The Commission Secretary will also be responsible to review and approve bills for submittal to the commission.

10. Consent Agenda

a. Minutes – November 5, 2013
b. Monthly bills - Fire Department, Police Department and Emergency Management
c. Fire Chief's Report/EMS Report
d. Police Chief's Report
e. Director of Emergency Management's Report

Commissioner Wescott moved, seconded by Commissioner Schleihs, to approve the consent agenda items as outlined above.

Ayes, all; nays, none. Motion carried.

11. Adjournment

The meeting adjourned at 6:27 p.m.

MEETING MINUTES
BOARD OF PARK COMMISSIONERS
WEDNESDAY, DECEMBER 4, 2013

1. **Roll Call**
2. **Approval of the October 2, 2013 Minutes**
3. **Naming Riverfront Arts Center "The Annette and Dale Schuh Riverfront Arts Center"**
4. **Director's Report**
5. **Adjournment**

Roll Call
Present: Bahling, Freckmann, Glodosky, McDonald, Ald. O'Meara, Sorenson, Ald. Wiza
Excused: Hall, Okonek, Ald. Slowinski
Absent: West
Also Present: Director Tom Schrader, Chris Wiza, Cathy Dugan, Eric Skille

2. Approval of the October 2, 2013 Minutes

Motion by Ald. O'Meara, seconded by Sorenson, to approve the October 2, 2013 minutes and place them on file.

Ayes all; Nays none; Motion carried.

3. Naming Riverfront Arts Center "The Annette and Dale Schuh Riverfront Arts Center"

Director Schrader distributed copies of the one letter he received regarding the naming of the Riverfront Arts Center "The Annette and Dale Schuh Riverfront Arts Center" which actually had questions and was not in opposition to the name change. Director Schrader he also received a number of phone calls all favorable in the name change.

Cathy Dugan asked for some background information on Dale Schuh and the Commissioners listed the many civic and arts related projects Dale and Annette have been involved with while he was a Sentry Insurance CEO.

Schrader also stated that the Schuh family has been a supporter of the Arts Center since it opened. And that both Annette and her son have had works exhibited several times. That the naming on the building is also to honor Dale's contribution to the community through all of his efforts as it relates to the United Way campaigns and especially Sentry's performing arts series that he started several years ago.

Alderperson Wiza stated that by funding this art series the community has had the enjoyment of seeing many national acts.

Motion by Glodosky, seconded by Ald. O'Meara to approve the naming of the Riverfront Arts Center "The Annette and Dale Schuh Riverfront Arts Center.

Ayes all, nays none; motion carried.

4. Director's Report

Director Schrader reported:

- The Forestry Department has applied for a WI DNR Urban Forestry Grant which would cover basic chainsaw safety training for all forestry, parks, streets and water street employees. It would also cover the brochures on Emerald ash borer and tree water bag purchases.
- Also applied for a $5,000 grant through American Transmission Company for general tree planting.
- 68 trees were planted this fall. Forty-eight were planted along the streets and 10 planted in Forest cemetery and 10 planted in Iverson Park.

- Forestry, Parks and Public Works department personnel are working on removing oak wilt and two-lined chestnut borer killed trees on city property. Public Works employees cleared out a segment of the Green Circle for trail maintenance.
- 38 notices were sent to property owners adjacent to alleys which have trees/shrubs obstructing the alley use. Three alleys were on the north side of town and one was on the west side. Normally this trimming was done by city personnel but without staffing it has been shifted to the property owners.
- Emerald Ash borer traps were taken down and examined. At this point no EAB has been found.
- Winter sports area ice rinks were started yesterday.

The Commissioners agreed to meet in January on Thursday, January 2nd.

Bob Freckmann asked if anyone (city and county) is thinking about a tribute/memorial for George Rogers? If not we should be.

5. Adjournment

Motion by Ald. Wiza, seconded by Glodosky to adjourn at 6:45 p.m.

Ayes all; Nays none; Motion carried.

COMPTROLLER-TREASURER REPORT
for the period ending October 31, 2013

	Bal October 1, 2013	Receipts	Disbursements	Bal October 31, 2013
GENERAL OPERATING CASH	$2,545,943.42	$5,819,847.57	$4,218,449.72	$4,147,341.27
WATER & SEWER (CASH & INVEST) (includes airport, transit , stormwater)	$10,685,828.13	$2,711,991.58	$2,251,377.79	$11,146,441.92

INVESTMENTS	Bal October 1, 2013	TRANSFER IN	TRANSFER OUT	Bal October 31, 2013
GENERAL	$19,585,804.19	$0.00	$4,000,000.00	$15,585,804.19
SPECIAL REVENUE	$715,460.66	$583,003.49	$635,634.98	$662,829.17
DEBT SERVICE	$7,410.30	$0.00	$0.00	$7,410.30
CAPITAL PROJECTS	$9,501,352.88	$2,658.12	$0.00	$9,504,011.00
ENTERPRISE	$184,020.37	$0.00	$0.00	$184,020.37
TRUST	$205,453.12	$570.00	$1,765.59	$204,257.53
TOTALS	$30,199,501.52	$586,231.61	$4,637,400.57	$26,148,332.56

EXPENDITURES:	BUDGET	YTD	%
GENERAL GOVT	$3,115,283.00	$2,567,327.09	82.41%
EMERGENCY GOVT	$1,156,534.00	$904,177.70	78.18%
POLICE	$4,552,199.00	$3,789,967.79	83.26%
FIRE	$4,852,145.00	$3,860,898.82	79.57%
PUBLIC WORKS	$5,630,695.00	$4,321,317.22	76.75%
PARK & REC	$2,015,483.00	$1,753,066.26	86.98%
CAPITAL PROJECTS	$426,920.00	$256,112.27	59.99%
DEBT SERVICE	$4,789,299.00	$4,197,703.26	87.65%
YTD TARGET	83.33%		

REVENUES	BUDGET	YTD	%
GENERAL	$21,711,448.00	$17,923,562.16	82.55%

effective 1/1/13 airport and transit will be reported to the Utility Commission

2014-15 Election Officials

Dist	First Name	Last Name	Address	Party
1				
	Richard	Doxtator	1909 Plover St	Dem
	Mary Lou	Daniels	1524 Wisconsin Ave	Dem
	Mary Jane	Meshak	133 Prentice St	Dem
	Nancy	Schmidt	1249 Maria Dr	Dem
	Janice	Doxtator	1909 Plover Street	Dem
	Melissa	Rice	736 Union St	Dem
	Judy	Bablitch	1316 Division St.	Dem
	George	Doxtator	1401 Wisconsin St	Un
	Kevin	Masarik	1741 Plover St	Un
	Thomas	Kujawski	1249 Fifth Ave	Un
2				
	Gail	Skelton	2409 Simonis Street	Dem
	Bernice	Kurzynski	524 Illinois Ave	Dem
	Betty	Johnson	1025 Brawley St	Rep
	Barbara	Olsen	825 Michigan Ave	Un
	Robert	Ostrowski	516 Michigan Ave	Un
	Glenn	Aavang	2725 Peck St	Un
3				
	George	Hanson	1901 Clark St	Dem
	David	Ligman	1509 East Ave	Dem
	Joyce	Waite	1801 Clark St	Dem
	Carol	Ligman	1509 East Ave	Dem
	Megan	Koelsch	433 Isadore St Rm #408	Rep
	Lenora	Barge	1909 Boyington Ave	Rep
	Jeffrey	Mace	1717 Clark St	Un
	Nancy	Kemmeter	2258 College Ave	Un
	Scott	Henning	2321 Sims Ave	Un
4				

Dist	First Name	Last Name	Address	Party
	Nancy	Serafin	732 Walker St	Dem
	Paul	Piotrowski	510 West St	Dem
	Edward	Long	909 Second St #2	Dem
	Barbara	Strong	340 Bukolt Ave	Dem
	Edward	Colson	616 Wadleigh St	Rep
	Ronda Marie	Simons	309 Washington Ave	Un
	Gladys	Glodoski	608 Franklin St	Un
	Christine	Wiza	717 Franklin Street	Un
5				
	C. David	Brazeau	1701 Reserve Street	Dem
	Mary Ann	Fink	1908 Welsby St	Dem
	Eugene	Tubbs	1632 Wyatt St	Dem
	Glen	Fink	1908 Welsby St	Dem
	Tina	Smart	2517 Center St	Rep
	Margaret	Myhra	2317 Welsby Ave	Un
	Sara	Stevenson	1917 Reserve St	Un
6				
	Marilynn	Koeppel	5283 Crocus Ct	Dem
	Susan	Gingrasso	4308 Heffron St	Dem
	Erin	Seegert	3716 Heffron St	Dem
	Suzanne	DuBois	4609 Nicolet Ave	Rep
	Mary	Weller	3821 Nebel St	Rep
	Marjorie	Zaske	3400 Olympia Ave	Un
	Tom	Baldischwiler	3340 Teton Dr	Un
	Benedict	Pezewski	2609 Bush Ct #4	Un
	Richard	Kruthoff	4301 Heritage Dr	Un
7				
	Gary	Wescott	1808 Texas Ave	Dem
	Barbara	Kranig	3317 Algoma St	Dem
	Ron	Cisewski	5409 Woodland St	Dem
	Earl	Spangenberg	3117 Oak St	Dem

Dist	First Name	Last Name	Address	Party
	Edward	Bieno	5541 Woodland St	Rep
	Diane	Ogdon	5534 Woodland St.	Rep
	Janice	Thompson	924 Songbird Ln #F2	Rep
	Mary	Lawton	5764 Sandpiper	Rep
	Joanette	Suchon	2111 Minnesota Ave	Rep
	Mary Ann	Bieno	5541 Woodland St	Rep
	Bonnie	Groshek	1900 Frontenac Ave	Un
	Tonia	Pettis	5465 Walter St	Un
	Ron	Check	1001 Sandy Lane	Un
	Joan	Gosh	5543 Woodland St	Un
	Susan	Manning	924 Sandy Lane	Un
8				
	Sue	Hall	200 Pine Bluff Rd	Dem
	Bill	Zimdars	3924 Doolittle Dr Apt. 6	Dem
	Betty	Strong	417 Soo Marie Ave	Dem
	Arlene	Meyerhofer	218 Wilshire Blvd	Dem
	Julia	Weiser	616 Sunset Blvd	Dem
	Janet	Malone	609 Wilshire Blvd	Dem
	Kathy	Zimdars	3924 Doolittle Dr Apt. 6	Dem
	Patricia	Bohanski	401 Soo Marie Avenue	Dem
	Pam	Slagowski	301 Indiana Ave	Rep
	Agnes	Hausman	3901 Doolittle Dr #4	Rep
	John	Kraft	3715 North Point Drive	Rep
	Justine	Starr	431 Wilshire Blvd N	Rep
	Jack	Porter	625 Janick Circle	Rep
	Marti	Sowka	4709 Whitetail Dr	Un
	Victor	Alvarez	3733 Jordan Ln	Un
	Guy	Stewart	3703 North Point Dr	Un
	Marge	Molski	800 St. Paul Street	Un
9				
	John	Munson	1101 Brawley St	Dem

Dist	First Name	Last Name	Address	Party
	Marcus	Newton	416 W. McDonald Drive	Dem
	Laura	Faulkner-Becker	1900 Strongs Ave	Dem
	Liz	McDonald	1760 Strongs Avenue	Dem
	Bruno	Castelhano	1941 Elk St	Dem
	Barbara	Munson	1101 Brawley St	Dem
	Sally	Freckmann	871 Oak Ridge Ln	Dem
	Kathy	Hermann	1408 Strongs Ave Apt # 404	Dem
	Mark	Marti	2117 Prairie St	Dem
	Dorothy	Pautz	2862 Church St	Dem
	Kay	Schmoll	1450 Water Street #306	Rep
	Clement	Stencil	818 Shaurette St	Rep
	John	Tomaszewski	864 West Oak Ridge Ln	Un
10				
	George	Barnes	2909 Frontenac Ave	Dem
	Sandi	Barnes	2909 Frontenac Ave	Dem
	Norma	Behr	2924 Frontenac Ave	Dem
	Leonard	Kjer	3247 Lindbergh Ave	Dem
	Robert	Rutkowski	2001 River View Ave #28	Dem
	Mary	Bellinger	3317 Minnesota Ave	Dem
	Bonnie	Emrick	3217 Yvonne Dr	Rep
	Eleanor	Larson	3200 Water St #58	Rep
	Sue	Phillips	3225 Mary Street	Rep
	Donald	Taylor	2501 Heffron St	Rep
	Mike	Phillips	3225 Mary Street	Rep
	Leonard	Szymkowiak	3119 Martha's Ln	Un
	Rosalie	Alexander	3116 Blaine St	Un
11				
	Joan	Jungwirth	1925 Lilac Lane	Un

RESOLUTION

WHEREAS, the Common Council of the City of Stevens Point and the Community Development Authority (CDA) of the City of Stevens Point deem it in the best interest of the City of Stevens Point that the Community Development Authority (CDA) be dissolved and that a separate Housing Authority and Redevelopment Authority be created to perform the duties and obligations of the Community Development Authority (CDA);

NOW THEREFORE BE IT RESOLVED, that pursuant to Wisconsin Statutes § 66.1335, the Community Development Authority (CDA) of the City of Stevens Point is hereby dissolved.

BE IT FURTHER RESOLVED, that unsanitary or unsafe inhabited dwelling accommodations exist in the City of Stevens Point and that there is a shortage of safe or sanitary dwelling accommodations in the City of Stevens Point available to persons of low income at a cost they can afford.

BE IT FURTHER RESOLVED, that pursuant to Wisconsin Statutes § 66.1201, there is hereby established a public body corporate and politic to be hereafter known as the Housing Authority of the City of Stevens Point.

APPROVED: _____
Andrew J. Halverson, Mayor

ATTEST: _____
John V. Moe, City Clerk

Dated: December __, 2013

Adopted: _____, 2013

RESOLUTION

WHEREAS, the Common Council of the City of Stevens Point and the Community Development Authority (CDA) of the City of Stevens Point deem it in the best interest of the City of Stevens Point that the Community Development Authority (CDA) be dissolved and that a separate Housing Authority and Redevelopment Authority be created to perform the duties and obligations of the Community Development Authority (CDA);

NOW THEREFORE BE IT RESOLVED, that there exists within the City of Stevens Point a need for blight elimination, slum clearance and urban renewal programs and projects, and the Redevelopment Authority of the City of Stevens Point is therefore created pursuant to Wisconsin Statutes § 66.1333(3)(a)(1).

BE IT FURTHER RESOLVED, that pursuant to Wisconsin Statutes § 66.1333(3)(a)(3), the Common Council of the City of Stevens Point hereby directs the Mayor of the City of Stevens Point to appoint seven residents of the City of Stevens Point to serve as Commissioners of the Redevelopment Authority.

APPROVED: _____
Andrew J. Halverson, Mayor

ATTEST: _____
John V. Moe, City Clerk

Dated: December __, 2013

Adopted: _____, 2013

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

The Common Council of the City of Stevens Point does ordain as follows:

SECTION I: That Subsection 3.19 of the Revised Municipal Code of the City of Stevens Point is hereby repealed.

SECTION II: That Subsection 3.21 of the Revised Municipal Code of the City of Stevens Point is hereby repealed.

SECTION III: That Subsection 3.51 of the Revised Municipal Code of the City of Stevens Point is hereby created as follows.

3.51: REDEVELOPMENT AUTHORITY. Pursuant to Wis. Stats. § 66.1333(3), the Redevelopment Authority of the City of Stevens Point is created as follows:

(1) It shall be deemed a separate body politic and corporate for the purpose of carrying out blight elimination, slum clearance, and urban renewal programs and projects.

(2) For purposes of this section, "HUD projects" shall mean any public housing project, activity, operation, or expenditure undertaken by the City of Stevens Point which is wholly or partly subsidized by funds received from the U.S. Department of Housing and Urban Development.

(3) It is authorized to act as the agent of the City of Stevens Point in planning and carrying out community development programs and activities approved by the Mayor and Common Council under the Federal Housing and Community Development Act of 1974, other than HUD projects, and as agent to perform all acts thereunto, except the development of the general plan of the city, which may be otherwise performed by the planning commission under Wis. Stats. §§ 66.1301 to 66.1327, 66.1331, 66.1337 or 66.1105.

(4) Any programs and projects undertaken by the Community Development Authority of the City of Stevens Point as of December 31, 2013, other than HUD projects, shall hereafter be transferred to and completed by the Redevelopment Authority. Any procedures, hearings, actions or approvals taken or initiated by the Community Development Authority under Wis. Stats. § 66.1333 on pending projects are deemed to have been taken or initiated by the Redevelopment Authority as though the Redevelopment Authority had originally undertaken such procedures, hearings, actions or approvals.

(5) Any form of indebtedness issued by the Community Development Authority not related to HUD projects shall be assumed by the Redevelopment Authority, except as indicated heretofore.

(6) The title to all real estate now owned by the Community Development Authority, other than properties on which HUD projects occur, shall now vest in the Redevelopment Authority without further action or conveyance and all conveyance hereto made by the Redevelopment Authority of real or personal property is ratified and confirmed in all respects.

(7) Ownership and control of all assets currently owned by the Community Development Authority not related to HUD projects shall hereby be transferred to the Redevelopment Authority.

(8) All contracts, other than contracts related to HUD projects, entered into between the federal government and the Community Development Authority, or between the Community Development Authority and other parties, shall be assumed by the Redevelopment Authority. Contracts for disposition of real property entered into by Community Development Authority with respect to any project shall be deemed contracts of the Redevelopment Authority without the requirement of amendments thereto. Contracts entered into between the federal government and the Community Development Authority, other than those related to HUD projects, shall bind the Redevelopment Authority in the same manner as though originally entered into by the Redevelopment Authority.

(9) The Redevelopment Authority may execute appropriate documents to reflect its assumption of the obligations set forth in this subsection.

(10) How Constituted: The Redevelopment Authority shall be constituted of seven (7) residents of the City of Stevens Point appointed by the Mayor and confirmed by four-fifths of the total membership of the Common Council. In making such appointments, the Mayor and Common Council shall give due consideration to the general interest of the appointee in a redevelopment, slum clearance or urban renewal program and shall, insofar as is possible, designate representatives from the general public, labor, industry, finance or business group, and civic organizations. Appointees shall have sufficient ability and experience in related fields, especially in the fields of finance and management, to assure efficiency in the redevelopment program, its planning and direction. At least one of the 7 commissioners shall be a member of the Common Council. No more than 2 of the commissioners may be officers of the City of Stevens Point.

(11) Term: The commissioners who are first appointed shall be designated by the appointing power to serve for the following terms: 2 for one year, 2 for 2 years, one for 3 years, one for 4 years, and one for 5 years, from the date of their appointment. After the first appointments, the term of office is 5 years. A commissioner holds office until a successor is appointed and qualified. Removal of a commissioner is governed by Wis. Stats. § 66.1201. Vacancies and new appointments are filled in the manner provided in sub. (10).

(12) Powers and duties: The Redevelopment Authority shall have all powers allocated to it under Wis. Stats. § 66.1333(5).

SECTION IV: That Subsection 3.52 of the Revised Municipal Code of the City of Stevens Point is hereby created as follows.

3.52: HOUSING AUTHORITY. Pursuant to Wis. Stats. § 66.1201, the Housing Authority of the City of Stevens Point is created as follows:

(1) It shall be deemed a separate body politic and corporate for the purpose of carrying out blight elimination, slum clearance, and urban renewal programs and projects.

(2) For purposes of this section, "HUD projects" shall mean any public housing project, activity, operation, or expenditure undertaken by the City of Stevens Point which is wholly or partly subsidized by funds received from the U.S. Department of Housing and Urban Development.

(3) It is authorized to act as the agent of the City of Stevens Point in planning and carrying out HUD projects approved by the Mayor and Common Council under the Federal Housing and Community Development Act of 1974 and as agent to perform all acts thereunto, except the development of the general plan of the city, which may be otherwise performed by the planning commission under Wis. Stats. §§ 66.1301 to 66.1327, 66.1331, 66.1337 or 66.1105.

(4) Any HUD projects undertaken by the Community Development Authority of the City of Stevens Point as of December 31, 2013 shall hereafter be transferred to and completed by the Housing Authority. Any procedures, hearings, actions or approvals taken or initiated by the Community Development Authority under Wis. Stats. § 66.1201 on pending projects are deemed to have been taken or initiated by the Housing Authority as though the Housing Authority had originally undertaken such procedures, hearings, actions or approvals.

(5) Any form of indebtedness issued by the Community Development Authority related to HUD projects shall be assumed by the Housing Authority, except as indicated heretofore.

(6) The title to all real estate now owned by the Community Development Authority on which HUD projects occur shall now vest in the Housing Authority without further action or conveyance and all conveyance hereto made by the Housing Authority of real or personal property is ratified and confirmed in all respects.

(7) Ownership and control of all assets currently owned by the Community Development Authority related to HUD projects shall hereby be transferred to the Housing Authority.

(8) All contracts related to HUD projects entered into between the federal government and the Community Development Authority, or between the Community Development Authority and other parties, shall be assumed by the Housing Authority. Contracts for disposition of real property entered into by Community Development Authority with respect to any HUD project shall be deemed contracts of the Housing Authority without the requirement of amendments thereto. Contracts entered into between the federal government and the

Community Development Authority related to HUD projects shall bind the Housing Authority in the same manner as though originally entered into by the Housing Authority.

(9) The Housing Authority may execute appropriate documents to reflect its assumption of the obligations set forth in this subsection.

(10) How Constituted: The Housing Authority shall be constituted of five (5) residents of the City of Stevens Point appointed by the Mayor and confirmed by a majority of the Common Council. No commissioner may be connected in any official capacity with any political party nor may more than 2 commissioners be officers of the City of Stevens Point.

(11) Term: The first 5 commissioners who are first appointed shall be designated by the mayor to serve for terms of 1, 2, 3, 4 and 5 years respectively from the date of their appointment. Thereafter, the term of office shall be 5 years. A commissioner shall hold office until his or her successor has been appointed and has qualified. Vacancies shall be filled for the unexpired term in the manner described under sub. (10). Three commissioners constitute a quorum. The Mayor shall file with the City Clerk a certificate of the appointment or reappointment of any commissioner and the certificate is conclusive evidence of the proper appointment of that commissioner if that commissioner has been confirmed under this paragraph and has taken and filed the official oath before entering office. The Common Council may elect to pay commissioners a per diem and mileage and other necessary expenses incurred in the discharge of their duties at rates established by the Council.

(13) Powers and duties: The Housing Authority shall have all powers allocated to it under Wis. Stats. § 66.1201(9).

City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481-3594

FAX 715-346-1530

Andrew J. Halverson
Mayor

715-346-1570

December 13, 2013

Members of the Common Council
Stevens Point, Wisconsin

The following appointments are recommended for your consideration.

Housing Authority

Appoint Louis Molepske – 2116 Clark Street (5 year term – Expires 12/31/18)
Appoint Carita Onstad – 1300 Briggs Ct #708 (4 year term - Expires 12/31/17)
Appoint Lee Beveridge – 316 Union Street (3 year term - Expires 12/31/16)
Appoint George Doxtator – 1401 Wisconsin Street (2 year term – Expires 12/31/15)

Redevelopment Authority

Appoint Catherine Dugan – 615 Sommers Street (1 year term – Expires 12/31/14)
Appoint Paul Adamski - 3117 Della Street (1 year term – Expires 12/31/14)
Appoint Andrew Halverson – 501 Wilshire Blvd. (2 year term – Expires 12/31/15)
Appoint Randy Stroik – 433 West Trillium (2 year term – Expires 12/31/15)
Appoint Marge Molski – 800 St. Paul Street (3 year term - Expires 12/31/16)
Appoint John Schlice – 2140 Church Street (4 year term - Expires 12/31/17)
Appoint Stephen Sawyer – 3117 Dunegan Drive (5 year term – Expires 12/31/18)

Your confirmation of these appointments would be appreciated.

Andrew J. Halverson, Mayor
City of Stevens Point