

AMENDED
City of Stevens Point
REGULAR COUNCIL MEETING

Council Chambers
County-City Building
1516 Church St

June 16, 2014
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 May 19, 2014 and the Special Joint Common Council/Redevelopment Authority meeting of June 9, 2014.
4. *Persons who wish to address the Mayor and Council on specific agenda items other than a "Public Hearing" must register their request at this time. Those who wish to address the Common Council during a "Public Hearing" are not required to identify themselves until the "Public Hearing" is declared open by the Mayor.
5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.
6. Proclamation Designating July as Park and Recreation Month.
7. Municipal Licensing of Vapor Bars (discussion only).

Consideration and Possible Action on the Following:

8. Minutes and actions of the Plan Commission meeting of June 2, 2014.
9. Public Hearing – Conditional Use Permit – Renewals for the following places and activities:
 - a) 2317 Division Street – Archie's (operate a tavern)
 - b) 908 Maria Drive – Final Score (operate a tavern)
 - c) 912 Main Street – Graffiti's (operate a tavern)
 - d) 1324 Second Street – Copper Top (operate a tavern)
 - e) 2600 Stanley Street – Partners Pub (operate a tavern)
 - f) 2525 Dixon Street – Point Bowl (operate a tavern)
 - g) 929 Main Street – Heritage Pub (operate a tavern)
 - h) 3260-74 Church Street – Bucks and Bulls Archery (operate indoor archeryrange)
 - i) 1331 Westmore Court – John and Carol A Lawlis (second living space)
10. Resolutions on the above.

11. Public Hearing – Conditional Use Permit – Request to expand a tavern (Guu's on Main) at 1140 Main Street.
12. Resolution on the above.
13. Public Hearing –Conditional Use Permit – Request to construct one, 2-bedroom apartment and one, 4-bedroom apartment at 1140 Main Street.
14. Resolution of the above.
15. Public Hearing – Rezone the property located on the northeast corner of Echo Dells Avenue and Riverview Avenue from R-2 Single Family Residence District to R-3 Single and Two-Family Residence District.
16. Ordinance Amendment on the above.
17. Public Hearing – Amend Zoning Ordinance to allow the selling of product by a non-profit (501(c)(3)) organization as a conditional use in R-5 Multiple Family II Residence District (Section 23.02(1)(g)(3) of the RMC).
18. Ordinance Amendment on the above.
19. Public Hearing – Conditional Use Permit – Request to sell product at 1578 Strongs Avenue.
20. Resolution of the above.
21. Public Hearing – Amend the City of Stevens Point Comprehensive Plan future land use map (Map 8.3) for the purposes of amending the future land use designation from residential to commercial/office/multi-family for all of the following properties:
 - 2601 Main Street (Parcel ID 2408-33-2025-02)
 - 2617 Main Street (Parcel ID 2408-33-2025-01)
 - 1310 Chase Street (Parcel ID 2408-33-2025-14)
 - 1318 Chase Street (Parcel ID 2408-33-2025-13)
 - 2624 Clark Street (Parcel ID 2408-33-2025-12)
22. Ordinance Amendment on the above.
23. Public Hearing – Rezone the property located at 2617 Main Street from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District.
24. Ordinance Amendment on the above.
25. Public Hearing – Rezone the property located at 2624 Clark Street from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District.

26. Ordinance Amendment on the above.
27. Public Hearing – Amend Zoning Ordinance to allow small-scale alcohol production facilities (brewpubs, craft- or micro-breweries, wineries, or distilleries) as a conditional use in B-2 Central Business Transition District (Section 23.02(2)(b)(3) of the RMC).
28. Ordinance Amendment on the above.
29. Public Hearing – Conditional Use Permit – Request to operate a micro-winery at 1201 Water Street.
30. Resolution of the above.
31. Public Hearing – Amend Zoning Ordinance to reduce the minimum lot size for one unit dwellings in the R-4 Multiple Family I Residence District and the R-5 Multiple Family II Residence District (Sections 23.02(1)(f)(4) and 23.02(1)(g)(4) of the RMC).
32. Ordinance Amendment on the above.
33. Minutes and actions of the Public Protection Committee meeting of June 9, 2014.
34. Minutes and actions of the Personnel Committee meeting of June 9, 2014 and the minutes of the Special Personnel Committee meeting of May 19, 2014.
35. Minutes and actions of the Board of Public Works meeting of June 9, 2014.
36. Public Hearing – Special Assessments for Replacement of Non-Standard Water Services and Non-Standard Sanitary Sewer Laterals – Bukolt Ave from Front St to Georgia St and Georgia St from Bukolt Ave to Sixth Ave Installation of Storm Sewer Laterals and Replacement of Existing Non-Standard Storm Sewer Laterals – Bukolt Ave from Front St to Second St and Georgia St from Bukolt Ave to Sixth Ave.
37. Final Resolution on the above.
38. Minutes and actions of the Finance Committee meeting of June 9, 2014.
39. Purchasing 100 Second Street North (former Mickey's Restaurant), for \$87,000.
40. Minutes and actions of the Police and Fire Commission meetings of June 2, and the Special Police and Fire Commission meeting of May 20, 2014.
41. Minutes and actions of the Transportation Commission meeting of May 22, 2014
42. Statutory Monthly Financial Report of the Comptroller-Treasurer.

- *43. Motion to enter into closed session (approximately 8:30 p.m.) pursuant to section 19.85(1)(e) Wis. Stats., for the deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, relating to the negotiating of the lease/rental of the Portage County Public Library Building, 1001 Main Street, with Portage County.

44. 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
County-City Building
1516 Church St**

**May 19, 2014
7:00 P.M.**

Mayor Andrew J. Halverson, presiding

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

Excused: Ald. Trzebiatowski

Also Present: City Atty. Beveridge, Clerk Moe, C/T Ladick, Directors Schatschneider, Lemke, Schrader, Ostrowski, Police Chief Ruder, Fire Chief Kujawa, Kelly Pazdernik, Mayoral Assistant, Asst. Police Chiefs Zenner, Skibba, Nathanael Enwald-Portage County Gazette, Brandi Makuski-Stevens Point City Times

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

Mayor Halverson did not have any opening remarks.

3. Consideration and possible action of the minutes of the Regular Common Council meeting of April 21, 2014.

Ald. Slowinski **moved**, Ald. Moore seconded, to approve the minutes of the Regular Common Council meeting of April 21, 2014.

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.

Bob Fisch, 1033 Smith Street, Chief Bikeman Officer of Pokey Peddling Stevens Point gave on update on his organization. He explained that Pokey Peddling uses rides through key points of the City of Stevens Point to instill pride and build community spirit. He believes bike riding creates a better city. He asked the City to consider bicyclers in the decisions they make and go on at least one Pokey Peddle ride this year to experience bicycling in the city.

Elizabeth Wellso, 1140 Ridge Road, invited the City Council members to join her for a special tour of the Stevens Point Sculpture Park on Monday, June 16th at 6 pm.

6. Presentation by Poppy Princess Anna Rathe.

Mayor Halverson spoke about the tradition of using poppies to recognize the efforts of our veterans. He read a proclamation declaring May 24th the official American Veterans Poppy Day in Stevens Point.

Anna Rathe, Poppy Princess 2014, explained the tradition of wearing red poppies to honor soldier and provide funds for veterans. She read the poem, "In Flanders Fields" by John McCrae.

Consideration and Possible Action on the Following:

7. Minutes and actions of the Plan Commission meeting of May 5, 2014.

Cathy Dugan, 615 Sommers, listed the parking lots affected by the constrained site exemption as Sentry, Ministry, Shopko, Mid-state and Lot 16. She explained her concern with the lack of reduction of green space this change causes.

Ald. Moore moved, Ald. Phillips seconded, to approve the minutes of the Plan Commission meeting of May 5, 2014.

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

8. Resolution – Final Subdivision Plat – Request from Jim Jakusz for a seven lot subdivision, Hunter Oaks Second Addition, for the property located at 1901 Brilowski Road (Parcel ID 2408-36-3202-01).

Ald. Slowinski moved, Ald. Moore seconded, to approve the resolution for the final subdivision plat for a seven lot subdivision for Hunter Oaks Second Addition.

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

9. Public Hearing – Conditional Use Permit Amendment – Request from Todd Reilly for the purposes of splitting the property at 1717 Riverview Avenue (Parcel IDs: 2308-05-4400-13 through 2308-05-4400-22).

Mayor Halverson declared the public hearing open.

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

10. Resolution on the above.

Ald. Phillips moved, Ald. Doxtator seconded, to approve the Conditional Use Permit Amendment request from Todd Reilly for the purposes of splitting the property at 1717 Riverview Avenue.

Ald. R. Stroik asked if the remaining lot would fit a duplex or four-plex.

Dir. Ostrowski said they could still place a duplex or single family home on the remaining lot.

Ald. R. Stroik asked if the amendment to the conditional use permit will decrease the number of duplex they will build by one.

Dir. Ostrowski answered yes.

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

11. Public Hearing – Amend the Revised Municipal Code to allow alternative parking and landscape standards for additions to existing parking facilities that provide consistency with the existing conditions (Section 23.01(14)(g) of the RMC).

Cathy Dugan, 615 Sommers, explained the City didn’t have any landscape requirements in the past. She believes landscape requirements are needed for environmental as well as aesthetic reasons, including trees and swales for storm water control.

12. Ordinance Amendment on the above.

Ald. R. Stroik **moved**, Ald. Slowinski seconded, to approve the Ordinance Amendment.

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

13. Ordinance Amendment – Zoning – Define Vapor Bars and Place Vapor Bars as a Conditional Use (Sections 23.04(2) and 23.02(2)(a) of the RMC).

Barb Jacob, 1616 Depot Street Apt. #A, said the current definition used for the zoning amendment is vague and could lead to misunderstandings. She said the Council should postpone the ordinance amendment until a better definition is in place.

Ald. Wiza asked if the City Attorney could find a more understandable definition to address the concerns raised.

City Att. Beverage stated there is a range of interpretation, however with a typical example of an establishment of this type would be very clear. If the Council wishes, language can be added stating a business must also sell the product in addition to having 25% of their area set aside for the use of vapor devices.

Ald. Wiza asked if adding in language “for purposefully accommodating” would make the definition clearer.

City Att. Beverage said that language would refer to the intent of the owner, which is up to interpretation. It may be better to include a clause about the sale of items in the definition if the Council would like to distinguish between a tavern and a vapor bar.

Ald. Wiza moved, Ald. M. Stroik seconded, to postpone the Zoning Ordinance Amendment to define vapor bars and place vapor bars as a Conditional Use until next month's round of meetings.

Ald. Moore questioned the need for addressing this issue.

Mayor Halverson explained that the City is facing an accelerating market for opening vapor bars for the consumption of vapor liquids. The City's zoning code has no reference for vapor bars and in the absence of any zoning codes, the establishments are not allowed.

Dir. Ostrowski reaffirmed Mayor Halverson's statement that vapor bars would not be allowed in the absence of zoning codes. If they are allowed and the City starts having problems with them, it is very difficult to go back. The City is trying to be proactive.

Ald. Moore asked why Stevens Point has vapor bars if they are not allowed.

Dir. Ostrowski explained the businesses are retail sales outlets, not vapor bars.

Mayor Halverson commented the retail sales are a legal action. There is nothing stopping these establishments from setting up a lounge area for consumption of the product, which may create traffic or noise problems. He explained placing a vapor bar within a tavern would be great as a tavern is more regulated due to the city licensing and conditional use permit than a straight vapor bar.

Ald. O'Meara asked if the City will be forcing all taverns that have smoking areas currently to obtain an additional license.

Dir. Ostrowski replied no.

Ald. R. Stroik questioned if a convenience store could be considered a vapor bar because a person could use the vapor canisters within the store.

Dir. Ostrowski explained that businesses need to have a specific area carved out for the use of the product to be considered a vapor bar.

Ald. Slowinski asked if several people came into a retail establishment that sold vapor items and started using them in 25% of the space within the store, would that be a vapor bar by definition.

Mayor Halverson agreed there are many underlying issues to discuss, but a vote should be placed on the motion on the floor.

City Att. Beverage answered Ald. Slowinski's question by explaining the City would not consider a retail establishment a vapor bar unless the owner took steps toward making one, such as putting in some couches or coffee tables.

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

City Att. Beverage will provide a memo with comments to the Council related to conditional use zoning of vapor bars for discussion at the next Public Protection meeting.

Roll Call: Ayes: All
Nays: None. Motion carried.
Abstained: Ald. Moore

Aaron Lewis, 448 W. Clark Street, requested permission to raise five chickens at his property for the purpose of laying eggs.

Heidi Slowinski, 440 W. Clark Street expressed concerns with bacteria, smells blowing onto her property from the chickens and a reduction of resale value of her house.

Mike Barlow, 1090 Wilshire Drive, spoke in favor of the cleanliness and care of animals by Aaron and Jennifer.

Ald. Wiza asked if the permits are renewable annually.

Clerk Moe explained they are permanent unless concerns are raised from complaints. The owners are contacted first to see if they can fix the problem, if there is no way to correct it, the permit would be brought before Public Protection again.

Ald. Wiza asked if any of the approved permits to raise chickens have ever come back before the Public Protection Committee for review due to complaints.

Clerk Moe replied that he is not aware of any that have been brought before the Committee for permit removal due to complaints.

Ald. Wiza stated he would like to give the owners a chance to prove they can raise chickens without any complaints from the neighbors.

Ald. Wiza **moved**, Ald. O'Meara seconded, to approve raising five chickens for egg-laying purposes, no roosters, subject to Humane Society inspection, at 448 W. Clark Street.

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

Daniel Weisbrot, requested permission to raise seven chickens for egg-laying purposes at 449 W. Harding Ave. He brought in additional signatures and the layout of the coop and run on his property.

Mayor Halverson said he has the signatures for 464 W. Cornell Ave. and 432 W. Cornell Ave.

Ald. Wiza noted that the Council had received an email with the signatures of the neighbors at 465 W. Harding Ave., 433 W. Harding Ave., and 456 W. Harding Ave. He also said he had contacted the Humane Society concerning Mr. Weisbrot's dog incident and the officer he had spoken with did not have any pressing concerns about this location.

Ald. Wiza moved, Ald. O’Meara seconded, to approve raising seven hens for egg-laying purposes, no roosters, subject to Humane Society inspection, at 449 W. Harding Ave.

Mayor Halverson stated he had not received a copy of the layout of the coop within the property.

Mr. Weisbrot said he brought layout pictures and pictures of the coop with him for distribution.

Mayor Halverson said since the layout is exactly what the City is looking for; he did not see any problems with Mr. Weisbrot having chickens.

Ald. Suomi will be supporting the motion on the floor, but remarked the City needs to address the fact that people are getting chickens prior to their approval by the Council.

Ald. Slowinski said he supported the motion as all the adjoining neighbors have signed stating they approve of chickens at 449 W. Harding Ave.

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

17. Ordinance Amendment – Public Peace and Offenses – Arrow discharge exceptions (Section 24.14(8) of the RMC).

Ald. Wiza moved, Ald. Moore seconded, to approve an ordinance amendment.

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

18. Ordinance Amendment – Municipal Court – Municipal Court procedures (Section 33.06 of the RMC).

Ald. Slowinski moved, Ald. M. Stroik seconded, to approve an ordinance amendment.

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

19. Minutes and actions of the Board of Public Works meeting of May 12, 2014.

Cathy Dugan, 615 Sommers Street, spoke about the importance of bicycle lanes within the city and encourages City Council members to consider the two lane bicycle option for the reconstruction of Business 51. Historic preservation and safety would be maintained with this option and lead to a better quality of life. For this same reason, she asked that the City require sidewalks in new development and existing areas without them now. She pointed out that the urban living experience involves walking and biking to work.

Bob Fisch, 1033 Smith Street, expressed concerns that the City will not pay the \$300,000 for the environmental assessment that is needed for the Business 51 Project. If the

assessment is not done the \$450,000 already spent will have been wasted. He believes the study should be completed. He also states that bike and pedestrians should be considered when the new plan is chosen, rather than a car-centric model.

Ald. Doxtator moved, Ald. Phillips seconded, to approve the minutes and actions of the Board of Public Works meeting of May 12, 2014.

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

20. Changing the City's infrastructure focus from the Business 51 Project to the Hoover Road/Country Club Drive Grade Separation Project.

Cathy Dugan, 651 Sommers Street, supported shifting the funding from Business 51 now, but requested the Business 51 Project be returned to as soon as possible.

Ald. Slowinski moved, Ald. Doxtator seconded, to approve changing the City's infrastructure focus from the Business 51 Project to the Hoover Road/Country Club Drive Grade Separation Project.

Ald. Wiza asked if the City focuses on the Hoover Project, when could the City revisit the Business 51 Project.

C/T Ladick said the plan is 10 years and that is realistic since the project occurs over phases, but the grant funding available in 10 years would determine that for sure. The City needs to stay focused on containing capital spending and debt reduction.

Ald. Wiza verified with C/T Ladick that the grade separation could be done and in 10 years the City would be able to afford to do the Business 51 Project if grant funding stayed the same.

C/T Ladick replied yes.

Ald. Wiza questioned the City's ability to pay for unexpected projects during the next 10 years if the grade separation would be done now.

C/T Ladick explained there can always be unexpected costs, but it is difficult to look that far into the future because most of the borrowing done now will be paid back within 10 years.

Mayor Halverson stated that debt capacity is the most important element for the community moving forward. In order to maintain the City's current bond rating, we can only use 60% of our statutory debt capacity. The City will no longer be doing complete street reconstructs, which will help our debt capacity grow. There will still be capital needs, but as C/T Ladick stated, that is where discipline will be needed.

Ald. Wiza asked if Business 51 could be safely repaired for the next 10 years.

Dir. Schatschneider replied yes, and that the City has been researching what other cities have done in the same situation.

Mayor Halverson asked what the cost of maintenance from the southern city limits to the CN underpass, with all four lanes repaved with 2.5 inches of asphalt, would be.

Dir. Schatschneider said \$1 million, but that it could be done in phases.

Ald. Slowinski asked if the city streets around town will be safe without reconstructs for the next 10 years.

Dir. Schatschneider said it would be a challenge and it will be important to be creative with road maintenance.

Ald. Suomi asked if the \$1 million pavement estimate included fixing the intersections at Division and Maria as well as Division and Fourth.

Dir. Schatschneider replied no.

Mayor Halverson explained the maintenance dollars quoted would only be from the southern city limits to the CN underpass.

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

21. Selecting an overpass with earthen slopes as the Preferred Alternative for the Hoover Road/Country Club Drive Grade Separation Project.

Ald. R. Stroik asked if the affected businesses in the business park were notified and supported the proposed plan.

Mayor Halverson said the businesses are aware of the impact and there will be continued conversations with them. He said they have been very supportive thus far.

Ald. Moore complimented the Council on the choice of an overpass as the two underpasses in the City have flooding problems.

Mayor Halverson explained the \$12.3 million layout has very little disruption even with the sloped sides. This plan would not be possible without the \$500,000 earmark by former Congressman David Obey.

Ald. Slowinski moved, Ald. Doxtator seconded, to approve the selection of on overpass with earthen slopes as the preferred alternative for the Hoover Road/Country Club Drive Grade Separation Project.

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

22. Minutes and actions of the Board of Water & Sewerage Commissioners meeting of May 12, 2014.

Ald. Doxtator moved, Ald. M. Stroik seconded, to approve minutes and actions of the Board of Water & Sewerage Commissioners meeting of May 12, 2014.

Ald. Doxtator complemented the Water & Sewerage Commissioners on the great job they have been doing.

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

23. Minutes and actions of the Police and Fire Commission meetings of April 8, and May 6, and the Special Police and Fire Commission meeting of April 22, 2014.

Ald. Patton **moved**, Ald. Moore seconded, to approve the minutes and actions of the Police and Fire Commission meetings of April 8, and May 6, and the Special Police and Fire Commission meeting of April 22, 2014.

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

24. Minutes and actions of the Board of Park Commissioners meeting of May 6, 2014.

Ald. O'Meara **moved**, Ald. Phillips seconded, to approve the minutes and actions of the Board of Park Commissioners meeting of May 6, 2014.

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

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

Ald. Moore **moved**, Ald. R. Stroik seconded, to approve the Statutory Monthly Financial Report of the Comptroller-Treasurer.

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

26. Motion to enter into closed session (approximately 8:15 p.m.) pursuant to section 19.85(1)(e) Wis. Stats., for the deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, relating to the negotiating of the lease/rental of 933 Michigan Avenue (Mid-State Technical College) with the University of Wisconsin-Stevens Point.

Ald. Phillips **moved**, Ald. R. Stroik seconded, to enter into closed session.

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

27. Motion to reconvene into open session.

28. **Motion to enter into closed session (approximately 8:30 p.m.) pursuant to section 19.85(1)(g) Wis. Stats., for conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or likely to become involved, relating to the contract with Carlson Dettmann Consulting regarding pay plan study services.**

Ald. R. Stroik **moved**, Ald. Slowinski seconded, to enter into closed session.

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

29. **Adjournment.**

Adjourned at 9:04 p.m.

**City of Stevens Point
SPECIAL JOINT COUNCIL/REDEVELOPMENT AUTHORITY MEETING**

**Lincoln Center
1519 Water Street**

**June 9, 2014
5:30 P.M.**

Mayor Andrew J. Halverson, presiding

Council

Roll Call: Ald. Doxtator, Wiza (5:32), M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore, O'Meara.

Excused: Ald. Suomi.

**Redevelopment
Authority**

Roll Call: Mayor Halverson, S. Sawyer, M. Molski, R. Stroik, C. Dugan

Also Present: City Atty. Beveridge, City Clerk Moe; Comptroller/Treasurer Ladick; Directors Schrader, Ostrowski and Schatschneider; Interim Chief Finn; Asst. Chief Zenner; Human Resource Manager Jakusz; Assessor Shepro; Deputy Comptroller/Treasurer Freeberg; Jeremy Sloins; Scott Gulan; Barb Jacob; Sari Lesk; Nate Ewald, Thomas Valenta.

Discussion of maintenance needs and financial projections of Edgewater Manor (Discussion Only).

Mayor Halverson said the Redevelopment Authority owns and operates the Edgewater Manor; however, the Common Council has the authority to weigh in on this proposal. Financial projections are an item that needs to be discussed to determine how this moves forward.

Dir. Michael Ostrowski stated the Redevelopment Authority approved a temporary fix at last month's meeting. There are concerns with the façade as it is pulling away from the structural frame of the building. An engineer reviewed the status. One recommendation was complete removal of the façade while another advised selective replacement as needed. The Redevelopment Authority was willing to go through with some of the selected repairs; however, the Wisconsin Director of the National Masonry Institute noted this was the worst he has seen in years. This prompted the Redevelopment Authority to act on a temporary solution, which was essentially taking fasteners and fastening the façade to the building. This will buy the City/RDA about 1 to 2 years. After this time, the recommendation is to remove the façade. There were several options discussed including repairing just the façade, repairing the façade and windows, and selling the facility. Estimates have been received from an architect and range anywhere from \$800,000 to approximately \$3.2 million. If consideration is given to selling the property, there would need to be a caveat that the buyer is aware of the current state of the facility. There are some tax credit options available however there are some disadvantages to these.

Ald. Wiza asked how long would it take to put out an RFP to get other opinions.

Dir. Ostrowski stated that an RFP could be prepared but the cost is unknown and the City would probably have to pay for another estimate. He said he was very comfortable with the architect that they had been working with.

Ald. Phillips stated that Edgewater has had more than its share of problems. The City needs to consider its options including cutting our losses or bringing the facility up to as good as possible.

Dir. Ostrowski stated that Candlewood has been in there for approximately 6 months and they have done a phenomenal job. There have been no real complaints and everybody likes them. The facility is well kept and clean. The amount of investment that is needed to bring the building up to a marketable condition would be challenging as the City would need to realize about a 95% occupancy rate. He feels that even getting to this point the City would see some significant losses every year.

Ald. Phillips asked if residents receiving vouchers can use them anywhere.

Dir. Ostrowski replied that he is correct. About half of Edgewater's residents have vouchers and they could take those vouchers to any property within Portage County.

Ald. Phillips stated he looked at the appliances and believes the cost estimates presented are not accurate numbers. He said that he went to a reputable appliance dealer here in Stevens Point and looked at appliances for an apartment: a stove, refrigerator, dishwasher, a stackable washer and dryer; the total comes up to \$3,000.

Dir. Ostrowski responded saying that his numbers include the wall pack that would be installed for the air conditioning unit and is similar to that of a hotel room. This is a major cost.

Ald. Phillips questioned if each unit has a washer and dryer.

Dir. Ostrowski answered no.

Ald. Phillips believes the appliance costs are suspect and that the total cost should be lower than the \$3.1 million.

Ald. R. Stroik stated the City had several bids to purchase the building where the individuals did an inspection before they submitted an offer. None of the bidders noted any concern with the façade. He would like to see more than opinion in order to truly understand what the City is dealing with. He would like to have a second opinion.

Dir. Ostrowski said we had W.J. Higgins, the engineer, went through it twice and the Wisconsin Director of the International Masonry Institute went through it as well. He said hiring another engineer to go through the facility could be put on another agenda. There are other benefits besides a new façade, such as insulation and windows.

Mr. Sawyer asked about the age of the building.

Dir. Ostrowski responded that it was built between 1978-1979.

Dir. Ostrowski stated that the windows were caulked. When they drilled it, some water was released but they did caulk it. When talking about the facade, we are talking about everything from the top down.

Ms. Dugan stated that with major work of approximately \$3 million, the City needs to ask if we can afford it and what is our borrowing power as well as why we should keep it. The reasons remain the same, it is for an elderly, low income population who want to live independently in their own small apartments, but also want to be communal. This particular location is directly across from the street from the senior center, close to the library, bus, churches and the river.

Mayor Halverson stated that the only way this would work is if the City had some significant tax credit partners where we could create multiple subsets, very similar to what we did with the High Rise. But in this case the competitiveness of the tax credits that are out there, the way that they would be structured, and the time to be able to do that would be quite remarkable. He said he does not think the City is in a position to engage in subsidized senior housing without any tax credit participation or HUD participation. He believes this does not make sense given the amount of debt the City would need to take on to do this project. For the building to be successful he believes the City would have to lift the senior restriction. At that point, we are talking about an apartment building and he does not think the City has any business being in the market rate apartment business.

Ald. Wiza believed Ald. Stroik brought up good ideas and that putting out an RFP would not do any harm. He feels the City does not need to hire an architect or engineer since through the RFP process the Council could see what alternatives might be available. Ald. Wiza suggested the City put out an RFP for a repair and/or replacement to the façade to set everyone's minds at ease that the City is thoroughly inspecting the building and exploring all of the options before a decision is made.

Ald. R. Stroik asked how much time would be involved.

Dir. Ostrowski stated that the City would have to pay for an opinion from a structural engineer on whether or not the façade needs to be replaced. The Council can get the replacement costs per square footage for replacement windows, insulation, etc., but would likely need to hire another engineer to do an evaluation on the facility and write a report indicating what they felt was occurring and their recommendations.

Ald. O'Meara stated getting a structural engineer to look at the whole building is a good idea as the Council should know what is happening with the entire building.

Ald. Trzebiatowski said he agreed.

Ald. R. Stroik stated the company with the highest bid to purchase the property is still interested in the building, but would not go through another RFP process. He asked the City Attorney or the Director if there would be any reason why the City couldn't reconsider the original bid and allow them to do their own structural analysis and come back with an offer.

Mayor Halverson said the City would have to open it up for any and all offers.

Ald. Stroik suggested a motion to reconsider, but knows the motion could not be made at this meeting as it is for discussion purposes only.

Mayor Halverson said the City tried that once and he disagrees with Ald. Stroik.

Ald. O'Meara stated he would still like to have a structural engineer review Edgewater. If the building needs to be razed, it is better for the City to raze it and keep the riverfront and redevelopment. It's much better if everybody knows its condition.

Mr. Sawyer said he is concerned with the idea of allowing the previous high bidder to come in and not put forward any new information as new issues have developed since their last proposal. While a company might be willing to overlook and take a gamble on it, he does not know if that is best for the City. He said he is interested in knowing what the other possibilities are and feels it is not always about money. He believes the Council has to factor in the real benefit to the community as a whole in having this facility. There is a social and cultural value that you cannot necessarily put a dollar figure on.

Adjournment.

Meeting adjourned at 6:06 p.m.

City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481-3594
FAX 715-346-1530

Andrew J. Halverson
Mayor
715-346-1570



PROCLAMATION

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including City of Stevens Point; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Stevens Point recognizes the benefits derived from parks and recreation resources; now therefore

I, Andrew J. Halverson by virtue of the authority vested in me as Mayor of the City of Stevens Point, Wisconsin, do hereby proclaim the month of July as

PARK AND RECREATION MONTH

in the City of Stevens Point.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Stevens Point to be affixed this tenth day of June of our Lord two thousand fourteen.

Andrew J. Halverson, Mayor

City of Stevens Point
1515 Strongs Avenue
Stevens Point WI 54481-3594

FAX: 715-346-1530



Andrew Logan Beveridge
abeveridge@stevenspoint.com
City Attorney
715-346-1695

Becky Kalata, Paralegal
bkalata@stevenspoint.com
715-346-1556

To: Common Council

From: Andrew Beveridge – City Attorney

Date: June 10, 2014

Subject: Vapor Bars - Licensing

The purpose of this memo is to provide an overview and opinion on options for municipal licensing of vapor bars.

At several previous meetings, the Common Council considered requiring a city-issued license for operation of a vapor bar. One suggestion was to allow the Common Council to revoke such a license in the event that controlled substance violations or sales of nicotine products to minors occurred on the licensed premises. Based on my review of state statutes, I recommend not implementing a vapor bar licensing ordinance for three reasons. First, unlike the State of Wisconsin's tobacco retailer's licensing program, a municipal license program is not needed to serve the underlying purpose of collecting a tax on the product being sold. Second, Wisconsin's Uniform Controlled Substances Act already penalizes controlled substance violations, and state nuisance statutes provide a means to close a vapor bar if such violations occur on the premises. Similarly, City ordinances already prohibit sales of nicotine products to minors. Third, state statutes likely preclude the City's authority to impose a license program which penalizes the license holder for nicotine product sales to minors.

The state statute most similar to a municipal license program for vapor bars is the cigarette and tobacco retailer license program under Wis. Stats. § 134.65, a copy of which is attached. The bulk of 134.65 describes the license requirement itself, its applicability, the cost and term of the license, what information the applicant must provide when applying for a license, and the penalties for violations of the Section. Those provisions are necessary parts of almost any law or regulation creating a license requirement. The key provision is section (4), which reads as follows:

(4) Every licensed retailer shall keep complete and accurate records of all purchases and receipts of cigarettes and tobacco products. Such records shall be preserved on the licensed premises for 2 years in such a manner as to insure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

The effect of this reporting requirement and hence 134.65 in general, is primarily to facilitate the collection of tobacco taxes under Wis. Stats. Ch. 139. Collecting those taxes would be virtually impossible without access to accurate records of tobacco sales. Municipal licensing of vapor bars would serve no underlying purpose comparable to collecting the tobacco tax.

At previous meetings, Alderpersons discussed the option of using the revocation of a vapor bar license as a means to prevent sales to minors and controlled substance violations on the licensed premises. The Stevens Point Revised Municipal Code and Wisconsin Statutes already penalize such conduct with a range of forfeitures and criminal penalties. A license system which punishes conduct already prohibited under other laws would impose burdens on business owners and City staff while likely resulting in no significant increase in compliance with those laws. For comparison, while Section 134.66 of the Wisconsin Statutes prohibits the sale of tobacco products to minors, the penalties for violating that section are independent from the licensing requirement under 134.65.

Moreover, in the event that controlled substance violations occur at a vapor bar, state statutes related to nuisance would provide a means to close the business. Under Wis. Stats. § 961.53, all violations of the Uniform Controlled Substances Act are nuisances for purposes of Wis. Stats. Ch. 823. Ch. 823 would allow the City to bring an action to enjoin such a nuisance by closing the vapor bar.

Lastly, Wisconsin Statutes may prohibit the creation of an ordinance that imposes license revocation as a penalty for violations related to nicotine product sales to minors. Wis. Stats. § 134.66(2)(a) prohibits the sale of nicotine products to minors. Wis. Stats. § 134.66(5) states that a “city may adopt an ordinance regulating the conduct regulated by this section only if it strictly conforms to this section.” Revoking a license as a consequence of selling nicotine products to a minor would constitute a penalty in addition to that specified in Section 134.66. Such an ordinance would not “strictly conform” with § 134.66 and is highly likely to be prohibited by the statute.

I expect Alderpersons may have questions regarding the material presented in this memo. Because answering those questions may require legal research, please submit them to me via email at abeveridge@stevenspoint.com in advance of the June 16, 2014 Common Council meeting.

Thank you for your attention to this matter.

Logan

Wisconsin Statutes § 134.65 Cigarette and tobacco products retailer license.

(1) No person shall in any manner, or upon any pretense, or by any device, directly or indirectly sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes or tobacco products to any person not holding a license as herein provided or a permit under ss. [139.30](#) to [139.41](#) or [139.79](#) without first obtaining a license from the clerk of the city, village or town wherein such privilege is sought to be exercised.

(1m) A city, village, or town clerk may not issue a license under sub. (1) unless the applicant specifies in the license application whether the applicant will sell, exchange, barter, dispose of, or give away the cigarette or tobacco products over the counter or in a vending machine, or both.

(2)

(a) Except as provided in par. (b), upon filing of a proper written application a license shall be issued on July 1 of each year or when applied for and continue in force until the following June 30 unless sooner revoked. The city, village or town may charge a fee for the license of not less than \$5 nor more than \$100 per year which shall be paid to the city, village or town treasurer before the license is issued.

(b) In any municipality electing to come under this paragraph, upon filing of a proper written application a license shall be issued and continue in force for one year from the date of issuance unless sooner revoked. The city, village or town may charge a fee for the license of not less than \$5 nor more than \$100 per year which shall be paid to the city, village or town treasurer before the license is issued.

(3) Each such license shall name the licensee and specifically describe the premises where such business is to be conducted. Such licenses shall not be transferable from one person to another nor from one premises to another.

(4) Every licensed retailer shall keep complete and accurate records of all purchases and receipts of cigarettes and tobacco products. Such records shall be preserved on the licensed premises for 2 years in such a manner as to insure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

(5) Any person violating this section shall be fined not more than \$100 nor less than \$25 for the first offense and not more than \$200 nor less than \$25 for the 2nd or subsequent offense. If upon such 2nd or subsequent violation, the person so violating this section was personally guilty of a failure to exercise due care to prevent violation thereof, the person shall be fined not more than \$300 nor less than \$25 or imprisoned not exceeding 60 days or both. Conviction shall immediately terminate the license of the person convicted of being personally guilty of such failure to exercise due care and the person shall not be entitled to another license hereunder for a period of 5 years thereafter, nor shall the person in that period act as the servant or agent of a person licensed hereunder for the performance of the acts authorized by such license.

REPORT OF CITY PLAN COMMISSION

June 2, 2014 – 6:00 PM
Lincoln Center – 1519 Water Street

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

(Excused: Commissioner Daniel Hoppe)

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, Comptroller/Treasurer Corey Ladick, City Attorney Andrew Beveridge, Alderperson Doxtator, Alderperson Mary Stroik, Alderperson Phillips, Brandi Makuski, Nate Enwald, Barb Jacob, Kim Erzinger, Scott Gulan, John Munson, Don Guay, Bonnie Maher, Bill Maher, Neal Nealis, Rob Konkol, Amy Boston, Nate Boston, Gary Hintz, Kurt Helminiak, Jamie Kiener, Jan Way, Dave James, Kevin McAdam, and Scott Groholski.

INDEX:

1. Report of the May 5, 2014 Plan Commission meeting.
2. Conditional use permit renewals for the following places and activities:
 - a) 2317 Division Street (Parcel ID 2408-32-4035-22) – Archie's (operate a tavern)
 - b) 908 Maria Drive (Parcel ID 2408-29-2400-16) – Final Score (operate a tavern)
 - c) 912 Main Street (Parcel ID 2408-32-2015-29) – Graffiti's (operate a tavern)
 - d) 1324 Second Street (Parcel ID 2408-32-2017-14) – Copper Top (operate a tavern)
 - e) 2600 Stanley Street (Parcel ID 2408-28-3024-38) – Partners Pub (operate a tavern)
 - f) 2525 Dixon Street (Parcel ID 2408-33-3021-25) – Point Bowl (operate a tavern)
 - g) 929 Main Street (Parcel ID 2408-32-2018-03) – Heritage Pub (operate a tavern)
 - h) 3260-74 Church Street (Parcel ID 2308-04-3008-06) – Bucks and Bulls Archery (operate indoor archery range)
 - i) 1331 Westmore Court (Parcel ID 2408-14-3002-09) – John and Carol A Lawlis (second living space)
3. Request from the Redevelopment Authority of the City of Stevens Point to lease/license portions of land located east of Third Street extended (**portion of Parcel ID 2408-32-2029-66**) to JLP Enterprises, LLC for parking purposes.
4. Request from the Redevelopment Authority of the City of Stevens Point to lease/license land located west of Strongs Avenue extended (**portion of Parcel ID 2408-32-2029-65**) to Guu Inc. to be used as a patio area/premise extension for Guu's on Main.
5. Request from Scott Gulan, representing Guu Inc., for a conditional use permit to expand a tavern (Guu's on Main) at **1140 Main Street (Parcel ID 2408-32-2029-31 and portion of Parcel ID 2408-32-2029-65)**.
6. Request from Scott Gulan, representing Guu Inc., for a conditional use permit to construct one, 2-bedroom apartment and one, 4-bedroom apartment at **1140 Main Street (Parcel ID 2408-32-2029-31)**.
7. Request from Nathan Boston, representing Boston Funeral Home, for a constrained site exemption to reconstruct the parking lot at **1649 Briggs Street (Parcel ID 2408-32-1018-01)**.
8. Request from Lewis Danczyk, representing the property owner, to rezone the property located on the **northeast corner of Echo Dells Avenue and Riverview Avenue (Parcel ID 2308-05-4203-04)** from R-2 Single Family Residence District to R-3 Single and Two-Family Residence District.
9. Request from Justiceworks, Ltd. / Shifting Gears LLC to amend Section **23.02(1)(g)(3)** of the Revised Municipal Code of the City of Stevens Point, R-5 Multiple Family II Residence District, to allow the selling of product by a non-profit (501(c)(3)) organization as a conditional use.

10. Request from Justiceworks, Ltd. / Shifting Gears LLC for a conditional use permit to sell product at **1578 Strong's Avenue (Parcel ID 2408-32-2022-10)**.
11. Request from Ministry Saint Michaels Hospital to amend the City of Stevens Point Comprehensive Plan future land use map (Map 8.3) for the purposes of amending the future land use designation from residential to commercial/office/multi-family for all of the following properties:
 - **2601 Main Street (Parcel ID 2408-33-2025-02)**
 - **2617 Main Street (Parcel ID 2408-33-2025-01)**
 - **1310 Chase Street (Parcel ID 2408-33-2025-14)**
 - **1318 Chase Street (Parcel ID 2408-33-2025-13)**
 - **2624 Clark Street (Parcel ID 2408-33-2025-12)**
12. Request from Ministry Saint Michaels Hospital to rezone the property located at **2617 Main Street (Parcel ID 2408-33-2025-01)** from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District.
13. Request from Ministry Saint Michaels Hospital to rezone the property located at **2624 Clark Street (Parcel ID 2408-33-2025-12)** from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District.
14. Request from Ministry Saint Michael's Hospital for a constrained site exemption for an addition on to their existing parking lot at **2501 Main Street and 1317 Cross Street (Parcel IDs 2408-33-2025-01 through 2408-33-2025-04, 2408-33-2025-05, and 2408-33-2025-12 through 2408-33-2025-15)**. Request from Ministry Saint Michael's Hospital for a constrained site exemption for an addition on to their existing parking lot at **2501 Main Street and 1317 Cross Street (Parcel IDs 2408-33-2025-01 through 2408-33-2025-04, 2408-33-2025-05, and 2408-33-2025-12 through 2408-33-2025-15)**.
15. Amending **Section 23.02(2)(b)(3)** of the Revised Municipal Code of the City of Stevens Point, B-2 Central Business Transition District, to allow small-scale alcohol production facilities (brewpubs, craft- or micro-breweries, wineries, or distilleries) as a conditional use.
16. Request from Don and Kelly Guay for a conditional use permit to operate a micro-winery at **1201 Water Street (Parcel ID: 2408-32-2016-03)**.
17. Amending **Section 23.02(1)(f)(4)** of the Revised Municipal Code of the City of Stevens Point, R-4 Multiple Family I Residence District, to reduce the minimum lot size for one unit dwellings.
18. Amending **Section 23.02(1)(g)(4)** of the Revised Municipal Code of the City of Stevens Point, R-5 Multiple Family II Residence District, to reduce the minimum lot size for one unit dwellings.
19. Request from the Department of Transportation for an easement from the City to perform work on I-39 and North Reserve Street.
20. Adjourn.

1. Report of the May 5, 2014 Plan Commission meeting.

Motion by Alderperson Moore to approve the report of the May 5, 2014 meeting; seconded by Commissioner Curless. Motion carried 6-0.

2. Conditional use permit renewals for the following places and activities:
 - i) 2317 Division Street (Parcel ID 2408-32-4035-22) – Archie's (operate a tavern)
 - j) 908 Maria Drive (Parcel ID 2408-29-2400-16) – Final Score (operate a tavern)
 - k) 912 Main Street (Parcel ID 2408-32-2015-29) – Graffiti's (operate a tavern)
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 - m) 2600 Stanley Street (Parcel ID 2408-28-3024-38) – Partners Pub (operate a tavern)
 - n) 2525 Dixon Street (Parcel ID 2408-33-3021-25) – Point Bowl (operate a tavern)

- o) 929 Main Street (Parcel ID 2408-32-2018-03) – Heritage Pub (operate a tavern)
- p) 3260-74 Church Street (Parcel ID 2308-04-3008-06) – Bucks and Bulls Archery (operate indoor archery range)
- i) 1331 Westmore Court (Parcel ID 2408-14-3002-09) – John and Carol A Lawlis (second living space)

Director Ostrowski explained that staff is requesting to approve the renewals every two years as opposed to coming before the commission and council, which would save on publishing costs and mailings. If issues arose with the conditional use permit, it would then come before the commission for discussion.

Motion by Commissioner Patton to approve the conditional use permit renewals for the following places and activities:

- a) 2317 Division Street (Parcel ID 2408-32-4035-22) – Archie's (operate a tavern)
- b) 908 Maria Drive (Parcel ID 2408-29-2400-16) – Final Score (operate a tavern)
- c) 912 Main Street (Parcel ID 2408-32-2015-29) – Graffiti's (operate a tavern)
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- i) 1331 Westmore Court (Parcel ID 2408-14-3002-09) – John and Carol A Lawlis (second living space);

and to allow staff to review and approve renewals of conditional uses above in the future; seconded by Commissioner Cooper.

Commissioner Cooper asked if there would not be expirations anymore, to which Director Ostrowski answered no, staff would be able to approve. Staff will notify property owners if issues arise, and/or the item would be brought back before the Plan Commission and Common Council for review.

Motion carried 5-0, with Alderperson Moore abstaining.

3. Request from the Redevelopment Authority of the City of Stevens Point to lease/license portions of land located east of Third Street extended (**portion of Parcel ID 2408-32-2029-66**) to JLP Enterprises, LLC for parking purposes.

Director Ostrowski stated the next two agenda items are similar. Within the new downtown parking lot, north of Main Street, two dumpster corrals will be constructed, one in service court 1 and one in service court 2. JLP, neighboring property owner, has been contacted to maintain the dumpster corrals in service court 1. This would be in exchange for the use of seven parking stalls to the immediate west of the larger dumpster in service court 1. The second agreement with Guu's involves leasing a patio area in exchange for maintaining the dumpster area at service court 2.

Mayor Halverson asked if there was any objection for action on both agenda items, there was none.

Motion by Mayor Halverson to approve the request from the Redevelopment Authority of the City of Stevens Pont to lease/license portions of land located east of Third Street extended (portion of Parcel ID 2408-32-2029-66) to JLP Enterprises, LLC for parking purposes; seconded by Commissioner Patton.

Motion carried 6-0.

4. Request from the Redevelopment Authority of the City of Stevens Point to lease/license land located west of Strongs Avenue extended (**portion of Parcel ID 2408-32-2029-65**) to Guu Inc. to be used as a patio area/premise extension for Guu's on Main.

Motion by Mayor Halverson to approve the request from the Redevelopment Authority of the City of Stevens Pont to lease/license portions of land located west of Strongs Avenue extended (portion of Parcel ID 2408-32-2029-65) to Guu Inc. to be used as a patio area/premise extension for Guu's on Main; seconded by Commissioner Patton.

Motion carried 6-0.

5. Request from Scott Gulan, representing Guu Inc., for a conditional use permit to expand a tavern (Guu's on Main) at **1140 Main Street (Parcel ID 2408-32-2029-31 and portion of Parcel ID 2408-32-2029-65).**

Director Ostrowski explained Guu's is looking at adding a patio to the north of his facility and expand his premise to the rear of the building. The area to be licensed would be 25 x 50 feet, and have outdoor seating similar to the patio area by Arbuckle's.

Motion by Mayor Halverson to approve a conditional use permit to expand a tavern (Guu's on Main) at 1140 Main Street (Parcel ID 2408-32-2029-31 and portion of Parcel ID 2408-32-2029-65) with the following conditions:

- **A fence shall surround the extension area. The fence shall meet the design standards of the Historic Preservation / Design Review Commission.**
- **The operation of business related activities shall cease within the open extended premise area after 10 PM during all days of the week.**
- **All other necessary approvals from the other city review bodies, such as the Historic Preservation / Design Review Commission shall be obtained.**

seconded by Commissioner Haines.

Motion carried 6-0.

6. Request from Scott Gulan, representing Guu Inc., for a conditional use permit to construct one, 2-bedroom apartment and one, 4-bedroom apartment at **1140 Main Street (Parcel ID 2408-32-2029-31).**

Director Ostrowski explained Scott Gulan is requesting to take the vacant space above the bar and put in one 2-bedroom and one 4-bedroom apartment.

Motion by Alderperson Moore to approve the conditional use permit to construct one, 2-beroom apartment and one, 4-bedroom apartment at 1140 Main Street (Parcel ID 2408-32-2029-31) with the following conditions:

- **The applicant must secure a multi-family license prior to occupying the unit.**
- **Accurate floor plan of the second story shall be submitted by an architect or engineer to be reviewed by City staff prior to issuance of occupancy license and building permits.**
- **All building codes shall be met prior to issuance of occupancy license.**
- **Exterior improvements must be reviewed and approved by the Historic Preservation / Design Review Commission (windows, trim, etc).**

seconded by Commissioner Curless.

Commissioner Haines questioned the floor plan in that bedroom 3 in the 4-bedroom unit, stating the only access to the room is from the public corridor.

Director Ostrowski stated that may have been an error in the plan, but would be worked out when the building permit was issued.

Motion carried 6-0.

7. Request from Nathan Boston, representing Boston Funeral Home, for a constrained site exemption to reconstruct the parking lot at **1649 Briggs Street (Parcel ID 2408-32-1018-01)**.

Director Ostrowski explained that Boston Funeral Home is looking to reconstruct their parking lot, and currently they do not meet the setbacks that would be required within the district. We have an exception in our code for constrained sites which they meet, as they would be well under the required number of spaces for a funeral home. They would be putting the lot back together fairly similar to what it is currently, but they would be widening a driveway.

Commissioner Haines asked about the landscaping. Director Ostrowski elaborated, stating they have landscaping currently that fronts Briggs Street that is in the form of large trees, which are required to remain or be improved with additional landscaping installed. We don't want them to reconstruct the lot, take all of the landscaping out and then not reinstall it. He added they will keep the landscaping along Briggs Street and will be maintain the existing fence.

Motion by Commissioner Patton to approve a constrained site exemption to reconstruct the parking lot at 1649 Briggs Street (Parcel ID 2408-32-1018-01) with the following conditions;

- **The existing landscaping and fence surrounding the parking lot must remain or be improved.**
- **The applicant shall receive review and/or approval from the department of public works to remove and replace curbs and sidewalks as identified on the plan, while also meeting applicable curb and sidewalk standards.**
- **The applicant shall receive review and/or approval from the water department for stormwater control.**

seconded by Mayor Halverson.

Motion carried 5-1, with Commissioner Haines voting in the negative.

8. Request from Lewis Danczyk, representing the property owner, to rezone the property located on the **northeast corner of Echo Dells Avenue and Riverview Avenue (Parcel ID 2308-05-4203-04)** from R-2 Single Family Residence District to R-3 Single and Two-Family Residence District.

Director Ostrowski explained this property is on the corner of River View and Echo Dells. It is surrounded by multi-family to the west, a busy highway to the south, duplexes to the north and single family to the east. Our future land use map within our comprehensive plan identifies this area to remain residential. All of the zoning requirements are met for two family lots, therefore, staff recommends approval.

Alderson Phillips asked if all the neighbors had been notified of the zoning change and if a project or development is started and not finished, how does it handled in the department. Director Ostrowski stated the request was properly notices to neighbors, and the inspection department has provisions set in place if projects are started and not completed.

Motion by Commissioner Patton to approve the rezoning of the property located on the northeast corner of Echo Dells Avenue and Riverview Avenue (Parcel ID 2308-05-4203-04) from R-2 Single Family Residence District to R-3 Single and Two-Family Residence District; seconded by Commissioner Curless.

Motion carried 6-0.

9. Request from Justiceworks, Ltd. / Shifting Gears LLC to amend Section **23.02(1)(g)(3)** of the Revised Municipal Code of the City of Stevens Point, R-5 Multiple Family II Residence District, to allow the selling of product by a non-profit (501(c)(3)) organization as a conditional use.

David James from Justice Works explained the plan is to provide a non-profit center for Justiceworks, Shifting Gears, and the 2617 Club to increase efficiencies. The 2617 Club and Justiceworks are separate 501©(3) charitable organizations. Shifting Gears is a separate LLC but is fully owned through Justiceworks. Furthermore, the property has been vacant and is located just down the block from the current Justiceworks offices. The request is to allow retail sales by a non-profit facility as a conditional use in its current zoning district of R-4 Multi-Family I. Also, Mr. James stated Shifting Gears would like to increase their hours of operation and sales.

Mayor Halverson pointed out that the operation preference is daily from 11:00am -5:00pm and Saturday from 11:00a-3:00pm. Mr. James pointed out he would like 11-6 Monday through Friday and 11-3 on Saturday, explaining they are in a growth phase and hoping to expand.

Commissioner Patton asked if everything would be contained inside the building including bikes for sale as well as repairs. Mr. James stated yes, but they have not designed a specific floor plan yet. The goal is to have the retail portion in the front of the building, and to have the non-profit offices behind with meeting space in the lower level.

Commissioner Patton asked about the exterior lighting for operations at night, to which Director Ostrowski stated the operations would be inside the building.

Mayor Halverson stated given the proximity of the single family homes in the area, the question of the zoning that is there and why it is zoned that way to exclude these kinds of uses in the first place. We need to stay objective and look at the zoning and ultimate changes to the dynamic of the neighborhood.

Commissioner Haines asked who is the owner of the building and is it vacant. Mayor Halverson stated the Masonic own the building and Director Ostrowski confirmed it is vacant at this time.

Mayor Halverson stated in terms of the use of the property with the retail element excluded, the offices and meetings of both organizations is permitted and an allowed use in that particular zoning district. Parking would be substandard in today's construction based on the square footage.

Mr. James stated from the retail perspective the amount of square feet would only be 1,200-1,500 square feet and parking would be ok if dedicated for the retail. There is also street parking available in the area. Lighting is understood to be a concern but operation will be until 5:00-6:00pm which it is still light outside.

Commissioner Curless asked how many bikes would be on site at a time. Mr. James stated they receive bikes as donations from agencies across the state and then would repair them for job training. Kurt Helminiak stated there would be approximately 25-30 bikes in stock for sale and a few more on site for repair as well as getting them ready for sale. Commissioner Patton clarified they would all be kept indoors, to which Mr. Helminiak agreed. Commissioner Curless confirmed where the bikes are stored at this time on Wood Street, to which Mr. Helminiak stated yes.

Commissioner Haines asked what type of signage would be used. Mr. James stated most advertising would be by word of mouth, but there may also be discrete signage reflecting that the non-profit center would include Shifting Gears. She then asked about the staff recommendation for retail sales being six hours a week. Mr. James explained they currently operate at the six hours per week but want to increase that at the new location.

John Munson, 1101 Brawley Street, stated he supports Justiceworks and the bike shop, but has a concern regarding the parking. He also expressed his concerns if the non-profit does go under would that mean another non-profit could move in and have the same uses, as well as possible noise from the 2617 social club.

Mayor Halverson acknowledged that the parking scenario is substandard but less of a concern given that the offices can exist as an allowed use in the zoning code. His concern relates to allowing the retail use, likely encouraging more traffic in the vicinity. The fence is placed as a condition to abate any ambient noise of vehicles in the area.

Kevin McAdam, 5632 Sandpiper Drive, explained the 2617 Club socials are small and have approximately 12-24 people and meet approximately 12 times a week with a varying number of people at each meeting ranging from 2-22 people. Most cars are on site for just over an hour. Commissioner Patton asked where the current meeting location was, to which Mr. McAdams answered at 2617 Main Street but that house is scheduled to be razed. He also added the office is open from 8:00am-8:00pm for persons to walk in and meet with sponsors as well.

Bonnie Maher, 1100 Brawley Street, read a prepared statement, showed photos, and described the view of 1578 Strongs Avenue as seen from her property, which is a historic home and a Bed and Breakfast. She expressed concerns of parking, view of garbage area, activities in the back west side of the building and loud mechanicals. She feels this would be detrimental to her neighborhood, curb appeal, and the experience of her customers at the Bed and Breakfast. She feels the Shifting Gears retail would have a negative impact on the ratings of the business as well as clientele that stay there and does not support the amendment to the ordinance or the conditional use permit request.

Barb Jacob, 1616 Depot Street, agrees with Mrs. Maher and feels it will be detrimental to the neighborhood and the Bed and Breakfast business, as well as people coming to the 2617 Club after being released from jail in the middle of the night; it may be an issue for the neighborhood.

David James rebutted the professional office and charitable organizational space is a permitted use in the neighborhood and the goal of the non-profit organization is about building community and restoring relationships. He is open to suggestions from the neighbors and is willing to work with them to address any concerns.

Mayor Halverson stated the professional office meeting area is allowed in this zoning district. What we really need to consider is with a fully occupied building, is the bike repair shop and retail appropriate based on the size of the site as it exists along with all of the other added impacts a retail operation would make to the adjacent properties. The element is where the expansion of retail use for a site that is really not foreshadowed to become that, based on the zoning and parameters of the neighborhood itself, and he is not in support of it in that location.

Commissioner Patton asked about square footage of signs to which Director Ostrowski stated the signs would have to be less than 40 square feet.

Commissioner Haines asked about the history of the building, to which Mayor Halverson stated the initial construction did come before the zoning of the area.

Kim Erzinger, Plover, stated there had been a parish house in that location and when the church burned down it relocated to the east side, so they donated the land to the Masonic Temple.

Aldersperson Moore agreed with Mayor Halverson and does not feel this is a good fit in the neighborhood. He stated there are lots of good ideas presented, but does not feel there is room for the retail at this location.

Motion by Mayor Halverson to deny the amendment to Section 23.02(1)(g)(3) of the Revised Municipal Code of the City of Stevens Point, R-5 Multiple Family II Residence District, to allow the selling of product by a non-profit (501 (c)(3)) organization as a conditional use; seconded by Aldersperson Moore.

Motion carried 6-0.

10. Request from Justiceworks, Ltd. / Shifting Gears LLC for a conditional use permit to sell product at **1578 Strongs Avenue (Parcel ID 2408-32-2022-10).**

Motion by Mayor Halverson to deny the conditional use permit from Justiceworks, Ltd / Shifting Gears LLC to sell product at 1578 Strongs Avenue (Parcel ID 2408-32-2022-10); seconded by Aldersperson Moore.

Motion carried 6-0.

11. Request from Ministry Saint Michaels Hospital to amend the City of Stevens Point Comprehensive Plan future land use map (Map 8.3) for the purposes of amending the future land use designation from residential to commercial/office/multi-family for all of the following properties:

- **2601 Main Street (Parcel ID 2408-33-2025-02)**
- **2617 Main Street (Parcel ID 2408-33-2025-01)**
- **1310 Chase Street (Parcel ID 2408-33-2025-14)**
- **1318 Chase Street (Parcel ID 2408-33-2025-13)**
- **2624 Clark Street (Parcel ID 2408-33-2025-12).**

Director Ostrowski explained this is a small request by Ministry to expand parking, but it requires several components. The property the parking lot is on is zoned R-4 and R-5. In order for them to expand the parking

lot it would have to be all R-5. The comprehensive plan indicates that eastern edge of the block to remain residential with single and two family uses. Therefore, we would not be able to rezone it to R-5 unless the future land use map in the comprehensive plan is amended. So we would have to amend the comprehensive plan to allow for that area to be designated for commercial and office use, rezone the properties to R-5, and then address the constrained site parking lot request.

Mayor Halverson stated the issue with the entire block is where you can understand where the city was at that point in terms of how they were looking at that, but at the same time, this will square up the block with zoning and have fairly appropriate screening. It will work better now as an insulator because there is nothing between the existing parking today and the street right of way.

Aldersperson Moore asked if there was only one house on the block, to which Director Ostrowski stated yes and Ministry owns all the parcels on the block. It would be nice to make the zoning consistent within the block, to which Aldersperson Moore agreed.

Motion by Aldersperson Moore to approve the amendment of the City of Stevens Point comprehensive Plan future land use map (Map 8.3) for the purposes of amending the future land use designation from residential to commercial/office/multi-family for all of the following properties:

- **2601 Main Street (Parcel ID 2408-33-2025-02)**
- **2617 Main Street (Parcel ID 2408-33-2025-01)**
- **1310 Chase Street (Parcel ID 2408-33-2025-14)**
- **1318 Chase Street (Parcel ID 2408-33-2025-13)**
- **2624 Clark Street (Parcel ID 2408-33-2025-12)**

seconded by Commissioner Patton.

Motion carried 5-1, with Haines voting in the negative.

12. Request from Ministry Saint Michaels Hospital to rezone the property located at **2617 Main Street (Parcel ID 2408-33-2025-01)** from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District.

Motion by Commissioner Patton to approve the rezoning of the property located at 2617 Main Street (Parcel ID 2408-33-2025-01) from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District; seconded by Commissioner Cooper.

Motion carried 5-1, with Haines voting in the negative.

13. Request from Ministry Saint Michaels Hospital to rezone the property located at **2624 Clark Street (Parcel ID 2408-33-2025-12)** from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District.

Motion by Commissioner Patton to approve the rezoning of the property located at 2624 Clark Street (Parcel ID 2408-33-2025-12) from R-4 Multiple Family I Residence District to R-5 Multiple Family II Residence District; seconded by Aldersperson Moore.

Motion carried 5-1, with Haines voting in the negative.

14. Request from Ministry Saint Michael's Hospital for a constrained site exemption for an addition on to their existing parking lot at **2501 Main Street and 1317 Cross Street (Parcel IDs 2408-33-2025-01 through 2408-33-2025-04, 2408-33-2025-05, and 2408-33-2025-12 through 2408-33-2025-15)**.

Director Ostrowski explained this was the modification that we made last month to allow the extension of parking. They are requesting to keep a five foot setback off of Clark Street and Main Street however, they would still be required to have a 15 foot setback off of Chase Street, providing the buffer to the east. Staff would recommend approval with the condition that the commission allow staff to work with Ministry to figure out the internal layout of the lot.

Motion by Mayor Halverson to approve the constrained site exemption for an addition on to Ministry Saint Michael's Hospital existing parking lot at 2501 Main Street and 1317 Cross Street (Parcel IDs 2408-33-2025-01 through 2408-33-2025-04, 2408-33-2025-05, and 2408-33-2025-12 through 2408-33-2025-15), and allow staff to work with Ministry on the internal layout; seconded by Commissioner Curlless.

Commissioner Cooper asked at what point is the additional parking not considered a constrained site, to which Director Ostrowski stated if the add 50% or more to the existing lot.

Mayor Halverson asked about the species used in the landscaping, to which Director Ostrowski stated it would be similar to the existing conditions of the site.

Motion carried 5-1, with Haines voting in the negative.

15. Amending **Section 23.02(2)(b)(3)** of the Revised Municipal Code of the City of Stevens Point, B-2 Central Business Transition District, to allow small-scale alcohol production facilities (brewpubs, craft- or micro-breweries, wineries, or distilleries) as a conditional use.

Director Ostrowski explained we have a request following this agenda item to allow a micro-winery. Staff has done research on what other communities have done regarding small scale alcohol production. Currently, our code only allows alcohol production to be done in the M-1 district. So we have added the micro/small scale alcohol production within the B-2 district as a conditional use and provided a definition.

Commissioner Patton asked how it would be licensed, to which Director Ostrowski answered a Class B Wine license. The definition requires the area dedicated to the production of the alcohol be less than 10,000 square feet.

Motion by Commissioner Patton to approve amending Section 23.02(2)(b)(3) of the Revised Municipal Code of the City of Stevens Point, B-2 Central Business Transition District, to allow small-scale alcohol production facilities (brewpubs, craft-or micro breweries, wineries, or distilleries) as a conditional, along with adding the presented definition; seconded by Commissioner Haines.

Alderperson Moore pointed out the definition only has the square footage of production area not a production amount. Director Ostrowski explained the production area is 10,000 square feet. It is difficult to regulate the actual amount of production itself. Mayor Halverson added with the constrained size of the production area specified, that would in turn keep production low.

Commissioner Patton asked about any issues with the proximity to the Mid-State, to which Mayor Halverson stated not for a winery of this caliber and their business plan.

Motion carried 6-0.

16. Request from Don and Kelly Guay for a conditional use permit to operate a micro-winery at **1201 Water Street (Parcel ID: 2408-32-2016-03)**.

Motion by Commissioner Patton to approve the conditional use permit to operate a micro-winery at 1201 Water Street (Parcel ID: 2408-32-2016-03) with the following conditions:

- All improvements shall obtain pertinent building permits prior to construction.
- Exterior improvements shall receive necessary approval by the Historic Preservation / Design Review Commission.
- The receiving/shipping doors shall remain closed during all other operational activities not related to receiving and shipping.
- The conditional use permit shall expire in two years, on June 30, 2016.

seconded by Commissioner Haines.

Motion carried 6-0.

17. Amending **Section 23.02(1)(f)(4)** of the Revised Municipal Code of the City of Stevens Point, R-4 Multiple Family I Residence District, to reduce the minimum lot size for one unit dwellings.

Director Ostrowski explained we had a request from a property owner about purchasing land from a neighboring parcel to allow for snow storage. Their current lot is under the required minimum that we would allow for a multi-family use, and the single family home is also under the 10,000 square foot minimum requirement. In looking at our ordinance, single unit dwellings within R-2 and R-3 are required to have 8,000 square feet. He does not see a concern with dropping it down to the 8,000 square feet to be consistent.

Commissioner Patton clarified we are going to change the zoning so a property owner can purchase more land to put snow, to which Director Ostrowski stated yes.

Commissioner Curless asked if there is a minimum width, to which Director Ostrowski stated the minimum width would stay the same at 60 feet, or 80 feet on a corner.

Motion by Commissioner Patton to approve amending Section 23.02(1)(f)(4) of the Revised Municipal Code of the City of Stevens Point, R-4 Multiple Family I Residence District, to reduce the minimum lot size for one unit dwellings; seconded by Commissioner Haines.

Motion carried 6-0.

18. Amending **Section 23.02(1)(g)(4)** of the Revised Municipal Code of the City of Stevens Point, R-5 Multiple Family II Residence District, to reduce the minimum lot size for one unit dwellings.

Motion by Commissioner Patton to approve amending Section 23.02(1)(g)(4) of the Revised Municipal Code of the City of Stevens Point, R-5 Multiple Family II Residence District, to reduce the minimum lot size for one unit dwellings; seconded by Commissioner Haines.

Motion carried 6-0.

19. Request from the Department of Transportation for an easement from the City to perform work on I-39 and North Reserve Street.

Motion by Alderperson Moore to approve the easement for the Department of Transportation from the City to perform work on I-39 and North Reserve Street; seconded by Commissioner Cooper.

Motion carried 6-0.

20. Adjourn.

Meeting Adjourned 7:14 PM.

RESOLUTION

**[2317 DIVISION STREET]
[ARCHIES]**

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 **2317 Division Street (Parcel ID 2408-32-4035-22)**, N47' OF LOTS 9 & 10 BLK 4 HELM ADD EXC HWY DES 666705 S32 T24 R8 207/56 ½ 378/502-5 664352 742671 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating a tavern with the following conditions:

- 1) A decorative fence that is less than 50% solid be maintained on three sides of the patio area. The fence is to be constructed at least 2 feet from the sidewalk with landscaping placed between the fence and the sidewalk.
- 2) This conditional use permit shall expire **June 30, 2016**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014

Adopted: June 16, 2014

Drafted by: Michael Ostrowski

Return to: City Clerk

RESOLUTION

**[908 MARIA DRIVE]
[FINAL SCORE]**

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 **908 Maria Drive (Parcel ID 2408-29-2400-16)**, LOT 1 CSM 5871-21-187 BNG SE NW S29 T24 R8 589630 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating a tavern with the following conditions:

- 1) A 5 ft. lattice fence shall be constructed around the perimeter of the patio.
- 2) A privacy fence shall be constructed along the north property line between the house and the patio.
- 3) Limit the level of outdoor sound so the sound level is not audible beyond the limits of the owner's property line beyond 10:00 p.m.
- 4) No consumption of alcohol in the premise extension after 10:00 p.m.
- 5) This conditional use permit shall expire **June 30, 2016**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014

Drafted by: Michael Ostrowski
Return to: City Clerk

RESOLUTION

[912 MAIN STREET] [GRAFFIT'S]

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 **912 Main Street (Parcel ID 2408-32-2015-29)**, LOT 7 BLK 4 S E & O ADD BNG PRT NWNW S32 T24 R8 666401 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating a tavern with the following conditions:

- 1) As submitted to the Plan Commission, the licensee shall:
 - a. Archive all surveillance video for at least seven (7) days for Police Department inspection.
 - b. The owner shall install and maintain secondary exit doors that sound in the event of opening by unauthorized persons in the licensed premises.
- 2) The licensee shall maintain order and peace in the licensed premises.
- 3) The licensee shall employ adequate security personnel.
- 4) All conditions, rules, laws and ordinances, including hereafter adopted, applicable to the licensed premises and owner are hereby incorporated by reference and are included as conditions of this conditional use permit.
- 5) Any licensed premise established, operated, or maintained in violation of any of the provisions or requirements of this conditional use permit shall be grounds for suspension or revocation of this conditional use permit and/or declared to be unlawful and a public nuisance, the City may, in addition to or in lieu of, any other remedies set forth in the Stevens Point Municipal Code chapter twelve & 12.14 ordinance or the City's Revised Municipal Code, commence an action to enjoin, remove, or abate such nuisance in the manner provided by law and shall take such other steps and apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such public nuisances, and restrain and enjoin any person(s) from establishing, operating, or maintaining said conditional use contrary to the provisions of this conditional use permit.
- 6) The owner and licensee understand and agree that the conditions set forth above and incorporated by reference are conditions of review that the Plan Commission may use in license and/or conditional use approval, renewal and suspension/revocation proceedings.
- 7) Approval on the aforementioned resolution constitutes a Conditional Use Permit approval under the City's ordinances.

- 8) This conditional use permit shall expire **June 30, 2016**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014

Adopted: June 16, 2014

Drafted by: Michael Ostrowski

Return to: City Clerk

RESOLUTION

**[1324 SECOND STREET]
[COPPER TOP]**

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 **1324 Second Street (Parcel ID 2408-32-2017-14)**, OUTLOT 1 CSM#5101-18-126 & A & B & LOT 1#CSM 5168-18-193 & A BNG PRT LOT 5 BLK 6 S E & O ADD 653148 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating a tavern with the following conditions:

- 1) This conditional use permit shall expire **June 30, 2016**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014

Drafted by: Michael Ostrowski
Return to: City Clerk

RESOLUTION

**[2600 STANLEY STREET]
[PARTNER'S PUB II LLC]**

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 **2600 Stanley Street (Parcel ID 2408-28-3024-38)**, LOT 2 CSM#5695-21-11 BNG PRT NE SW S28 T24 R8 380/253 711202 711203 711204 741497 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating a tavern with the following conditions:

- 1) Approval to include the porch, volleyball court, and picnic table areas located 8 ft. from south fence and 8 ft. from east fence as shown on the attached map.
- 2) No amplified music allowed on the deck or the volleyball courts.
- 3) Security be present outdoors at all times that alcoholic beverages are either served or consumed outdoors in permitted area.
- 4) All alcohol must be consumed within the legally defined premise area.
- 5) Refuse containers shall be screened from neighboring properties with a trash enclosure or the containers shall be neatly placed behind the building.
- 6) This conditional use permit shall expire **June 30, 2016**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014

Drafted by: Michael Ostrowski
Return to: City Clerk

DOC# 772428

N 29° 39' W
115'

N 59° 56' E

30

424.50'

VOLLEY BALL COURT
ORIGINAL LOCATION
1980 THRU 1994

~ APT. BLDG. ~

~ APT BLDG ~

LOTS PURCHASED THRU THE YEARS
1984 to 1994

LOTS PURCHASED WHILE ZONED COMMERCIAL
1979

115'

115'

70'

RELOCATED
VOLLEY BALL COURT
FROM 4TH AVE, 1995

44'

3 BEDROOM
HOUSE WITH
GARAGE

PICNIC
TABLES

PORCH
1982
ADDED

2 STORY
OLDER
DUPLEX
PURCHASED
1990

G
PURCHASED 1994

H

TAVERN
PURCHASED
1977

169'

70'

← 268.50' →

PARTNER PUB
2600

~ STANLEY STREET ~

(DWG. ISSUED 4-22-99) PARTNERS PUB
ADJACENTLY OWNED BUFFER ZONE PROPERTY OF
THE ORIGINAL AND PRESENT VOLLEY BALL COURT
THE PUBLIC PROTECTION COMMITTEE

RESOLUTION

[2525 DIXON STREET] [POINT BOWL]

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 **2525 Dixon Street (Parcel ID 2408-33-3021-25)**, LOTS 1 2 3 & THE N 10F OF LOT 4 – BLK 8 CENTRAL ADD E 10 1/2F OF WELSBY AVE VAC 214/550 & VAC ST & ALLEY 504/873-4 & 506/385 – 349/168 – 487/997 – 538/826 698/129 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating a tavern with the following conditions:

- 1) Install a material in the wall called SheetBlok Sound Barrier. This material is 1/8 inch thick and is used to help block sound from transferring through the wall. SheetBlok shall be installed in the east and west wall of the existing bowling alley as well as the walls of the addition.
- 2) Address the music from the existing bowling alley by adding more speakers close to the bowlers. The speakers are now located at the bowling-pin end of the bowling alley. The owner shall add speakers closer to the bowlers and reduce the volume to achieve the same effect for the listeners.
- 3) Add baffles to vents that penetrate the ceiling to prevent sound from escaping the building.
- 4) An ongoing requirement that if music noise, including lower octave sound, is heard after 10 p.m. on Sunday - Thursday, and after 11 p.m. on Friday or Saturday, that the owners will reduce the sound level as needed.
- 5) Any exterior lighting use cut-off fixtures to prevent light from shining on neighboring properties.
- 6) The owners take adequate steps to prevent groups from congregating in the parking lot or on neighboring properties.
- 7) The licensee shall meet with the Police Department to develop security plans which may address health, safety and welfare concerns including, but not limited to:
 - a) Exterior lighting adjacent to the building or parking lot.
 - b) Control of parking area.
 - c) Cleanup of physical premises and surrounding neighborhood extending one block from the subject property.
 - d) Maintain order and peace in and around the licensed premises.
- 8) This conditional use permit shall expire **June 30, 2016**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014

Drafted by: Michael Ostrowski
Return to: City Clerk

RESOLUTION

[929 MAIN STREET] [HERITAGE PUB]

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 **929 Main Street (Parcel ID 2408-32-2018-03)** described as E 46' OF LOT 3 BLK 5 STRONG ELLIS & OTHERS ADD S32 T24 R8, City of Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating a tavern. The Conditional Use Permit is subject to the following conditions:

1. The licensee shall maintain order and peace in the licensed premises.
2. Any licensed premise established, operated, or maintained in violation of any of the provisions or requirements of this conditional use permit shall be grounds for suspension or revocation of this conditional use permit and/or declared to be unlawful and a public nuisance, the City may, in addition to or in lieu of, any other remedies set forth in the Stevens Point Municipal Code Chapter 12 of the City's Revised Municipal Code, commence an action to enjoin, remove, or abate such nuisance in the manner provided by law and shall take such other steps and apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such public nuisances, and restrain and enjoin any person(s) from establishing, operating, or maintaining said conditional use contrary to the provisions of this conditional use permit.
3. The business must be operated in a manner that music heard from outside the building does not unreasonably disturb the peace and enjoyment of the surrounding properties.
4. The licensee shall require that all exterior doors be kept closed so that noise does not unreasonably disturb the peace and enjoyment of the surrounding properties.
5. The licensee shall require that the area surrounding the premises be kept clean and orderly. All cups, bottles, cans, garbage, rubbish, cigarettes, etc. shall be properly disposed of at the end of each day, and not left on the property or public right-of-way.
6. All refuse containers shall be screened from view.
7. A sidewalk café license may be issued without amending this conditional use.
8. This conditional use permit shall expire **June 30, 2016**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014

Drafted by: Michael Ostrowski
Return to: City Clerk

RESOLUTION

**[3260-74 CHURCH STREET]
[BUCKS & BULLS ARCHERY]**

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 **3260-74 Church Street (Parcel ID 2308-04-3008-06)**, LOT 1 CSM#5006-18-31&A BNG PART NW SW S4 T23 R8 261/79 482/1193 642708 644261 740869 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating an indoor archery range, as shown on the attached plans. The Conditional Use Permit is subject to the following condition(s):

- 1) All building codes shall be met.
- 2) Outdoor shooting shall be prohibited.
- 3) The handling of bows shall adhere to all local, state, and federal regulations.
- 4) The licensee shall require that all exterior doors be kept closed so as to fully confine the archery range.
- 5) All refuse containers shall be screened from view.
- 6) All shooting within the proposed ranges shall be monitored and supervised at all times by an instructor or staff member.
- 7) Clear separation must be maintained between the archery ranges and sales floor and service desk in the form of rope, curtains, tape, floor markings, or similar.
- 8) This conditional use permit shall expire **June 30, 2016**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

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

Approved: _____

Andrew J. Halverson, Mayor

Attest:

John Moe, City Clerk

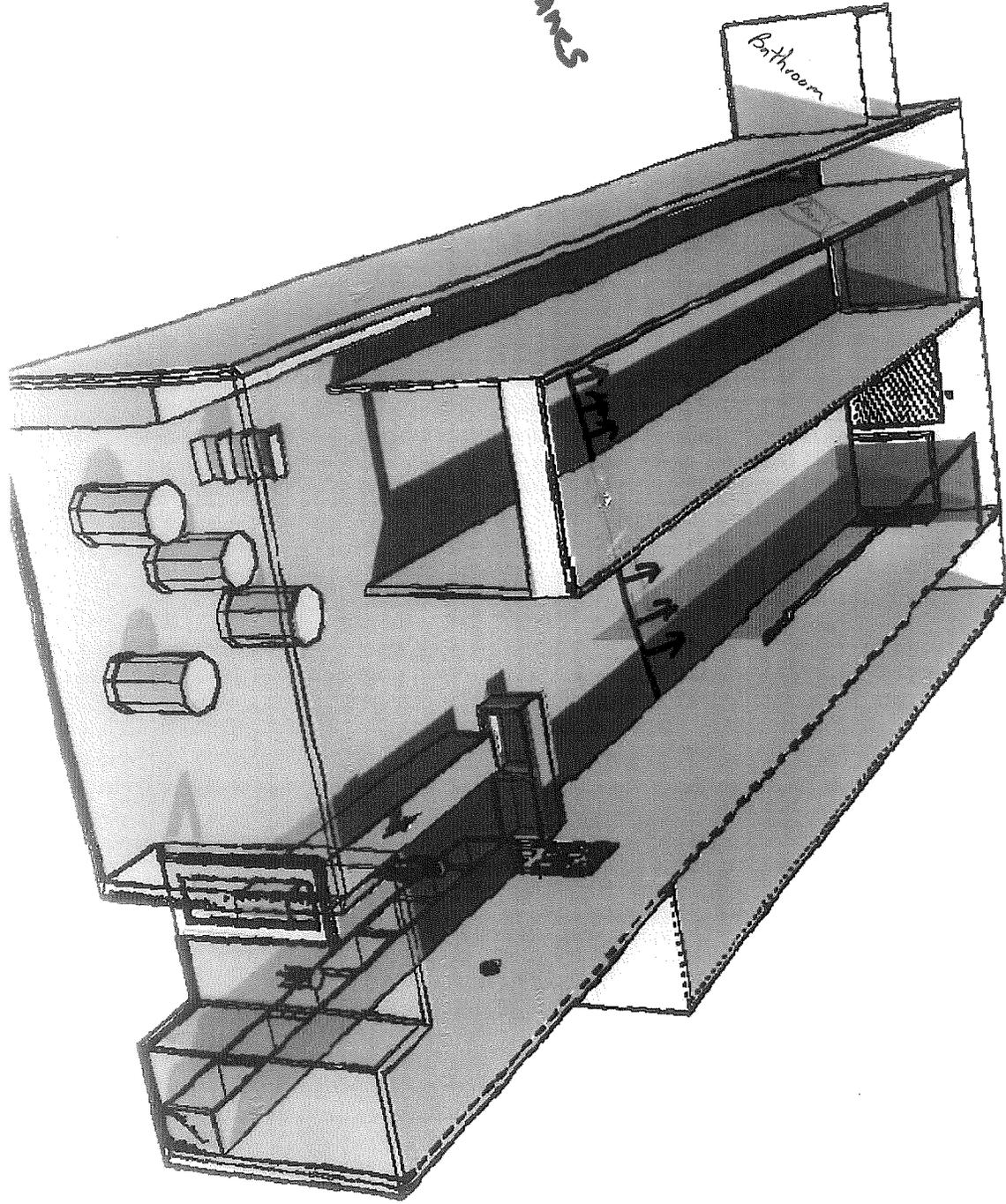
Dated: June 16, 2014

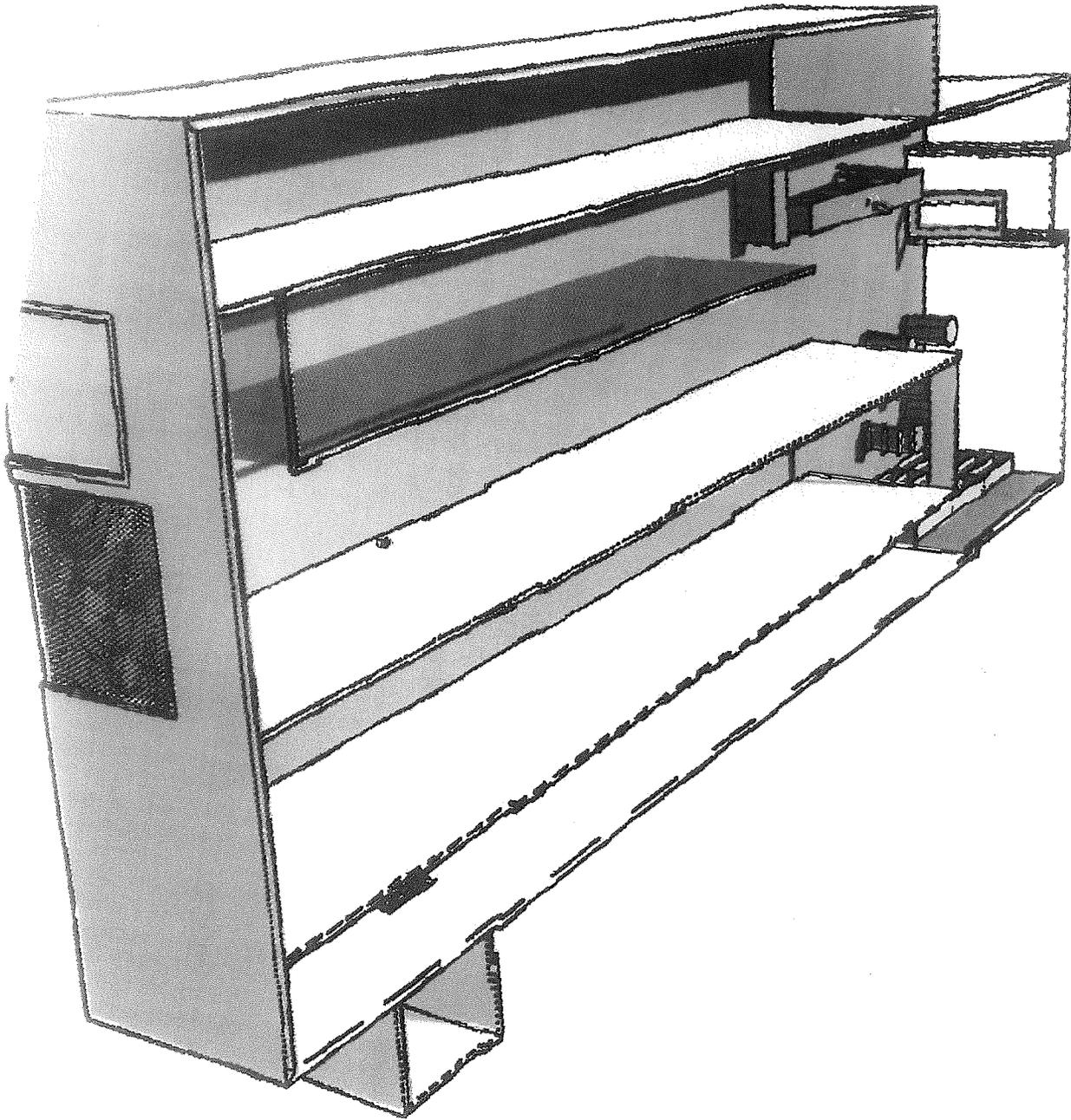
Adopted: June 16, 2014

Drafted by: Michael Ostrowski

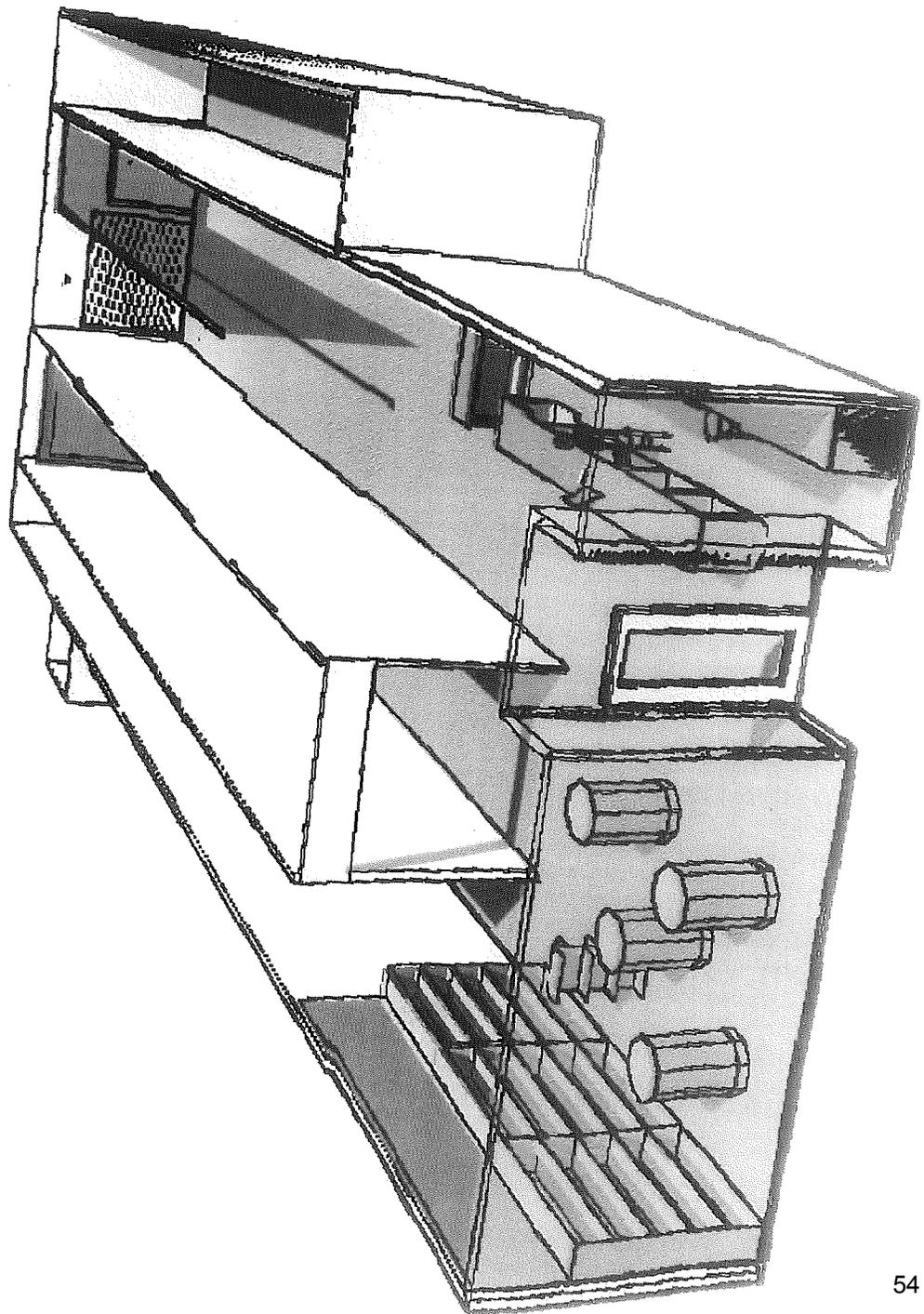
Return to: City Clerk

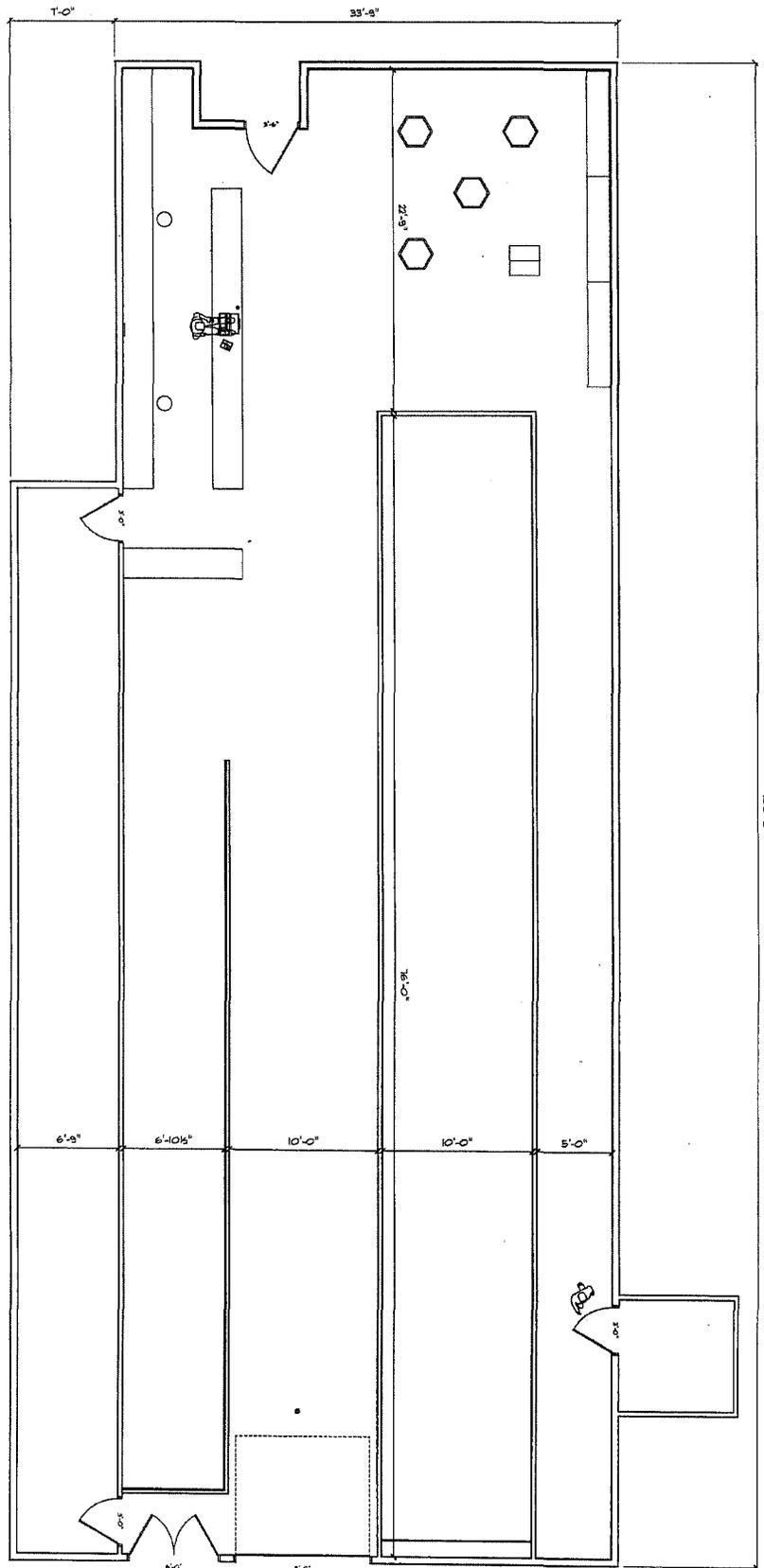
Shooting lines





DOC# 772439





RESOLUTION

[1331 WESTMORE COURT]

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 **1331 Westmore Court, (Parcel ID 2408-14-3002-09)** described as LOT 8 CSM#5461-20-32 & A BNG PRT N ½ SW S14 T24 R8 SUBJ TO REST COV 744/146 City of Stevens Point, Portage County, Wisconsin, is here by granted a Conditional Use Permit for the purpose of renovating their detached garage into a second living space, as shown on the attached plans. The Conditional Use Permit is subject to the following condition(s):

1. All building codes shall be met and building permits obtained.
2. Building materials shall match closely to those found on the main home.
3. Immediate and extended family member shall be the only persons permitted to occupy the living space.
4. Existing screening shall be maintained for the west, north, and east property lines, to reduce the view of the structure from those adjacent properties.
5. The dwelling cannot exceed the proposed living area. Future expansion of the living area would require Plan Commission and Council approval.
6. This conditional use permit shall expire **June 30, 2016**, upon which staff shall have the authority to review on a biannual basis and extend the permit for consecutive two year periods as long as all conditions are met.

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

Approved:

Andrew J. Halverson, Mayor

Attest:

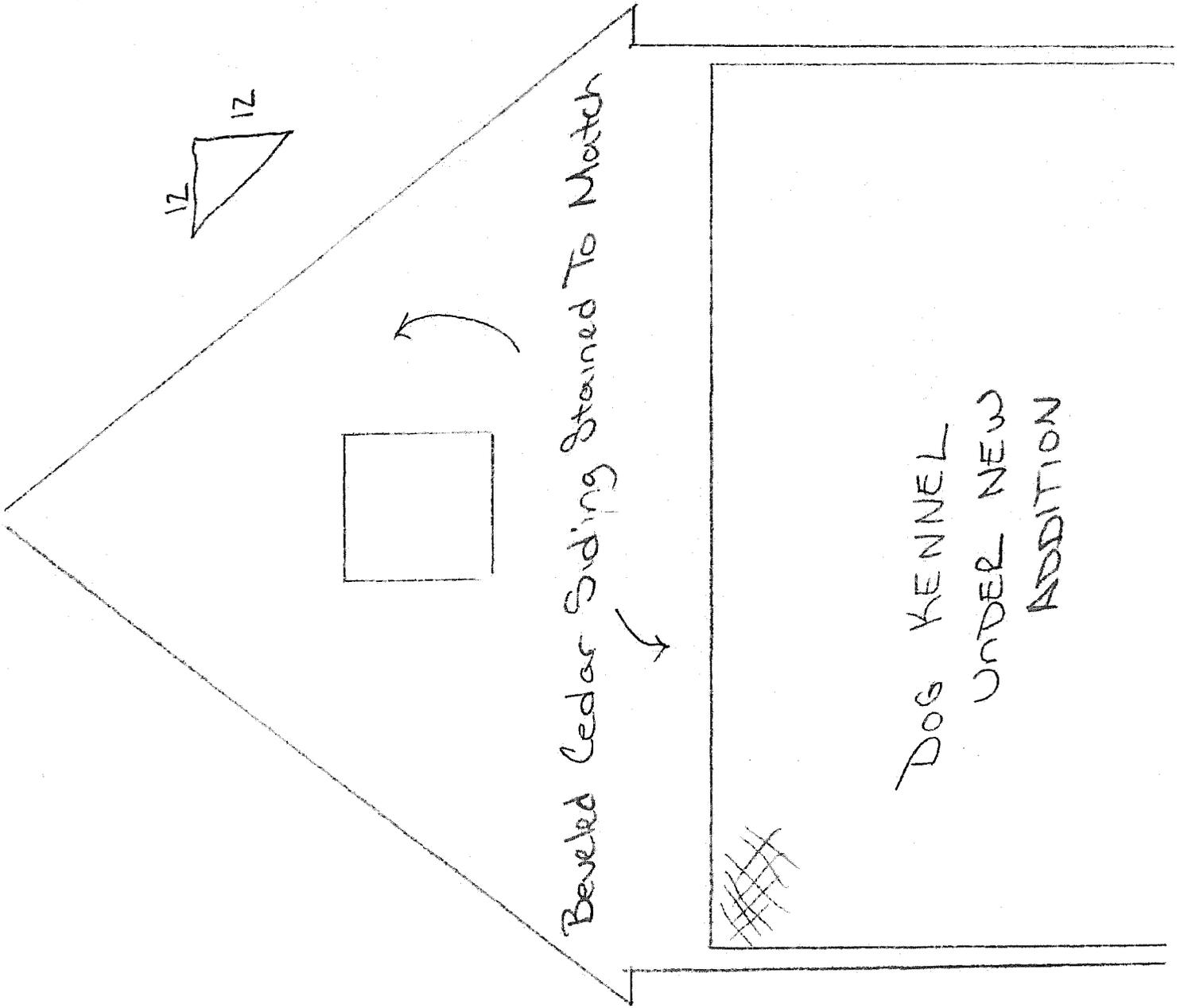
John Moe, City Clerk

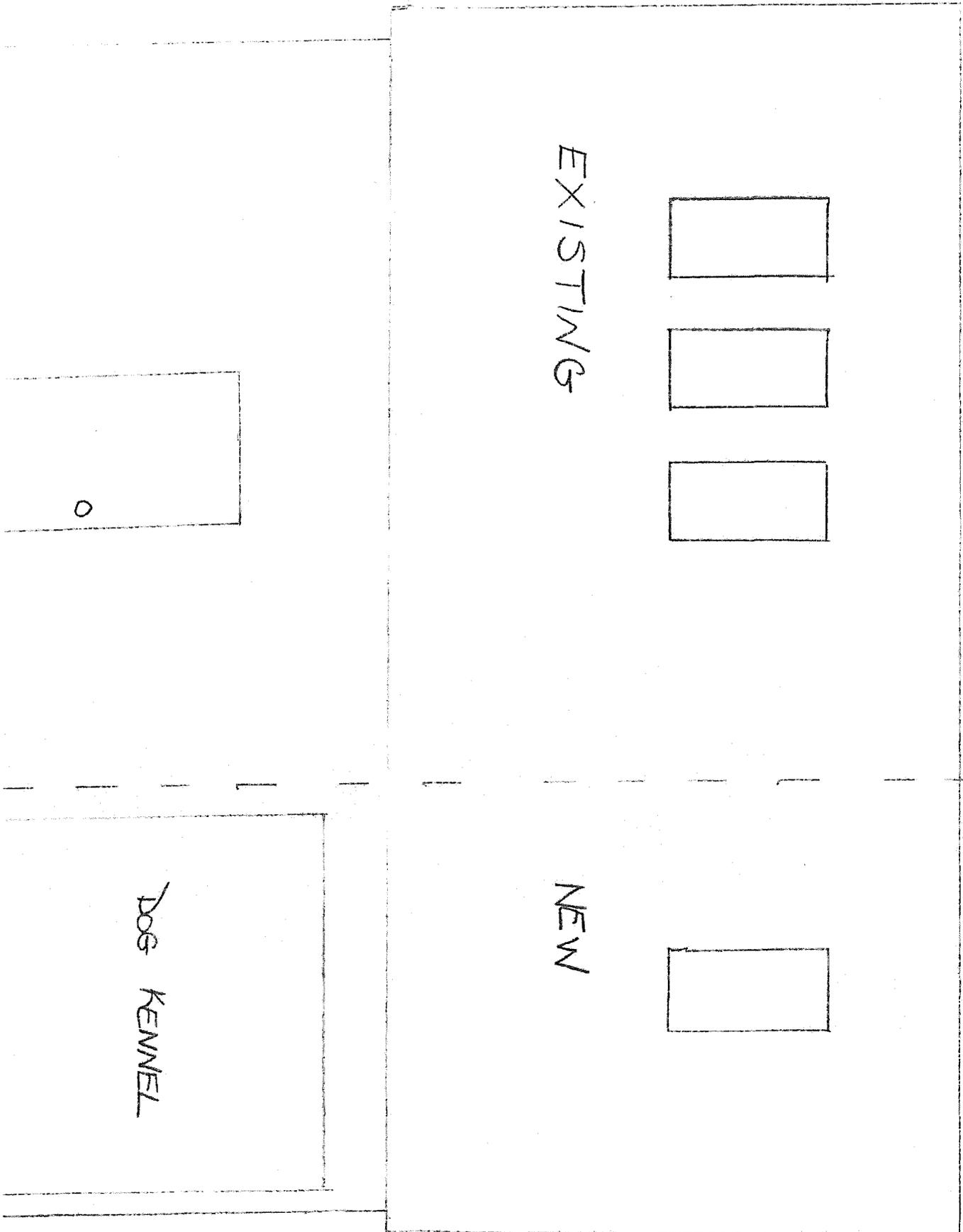
Dated: June 16, 2014

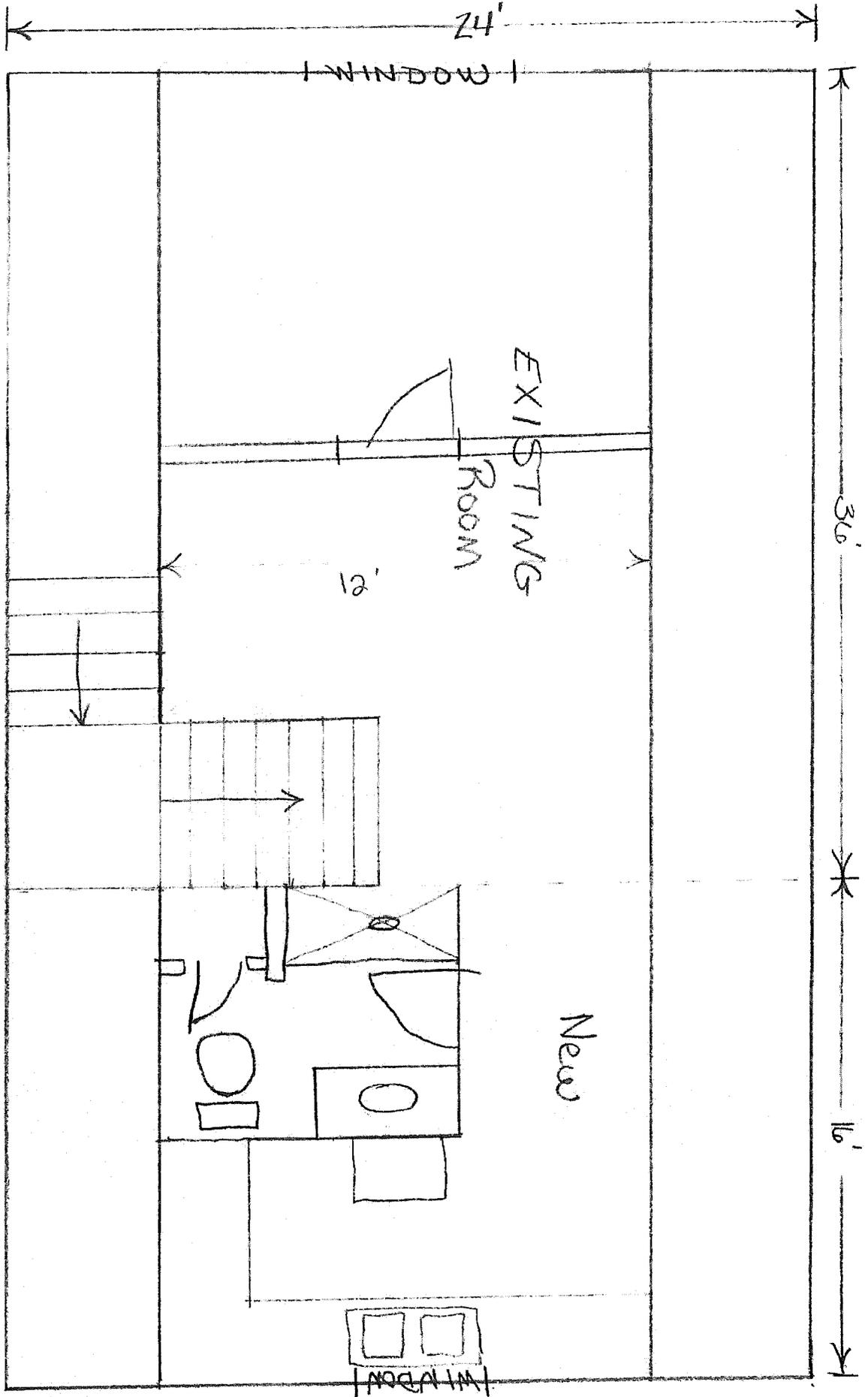
Adopted: June 16, 2014

Drafted by: Michael Ostrowski

Return to: City Clerk





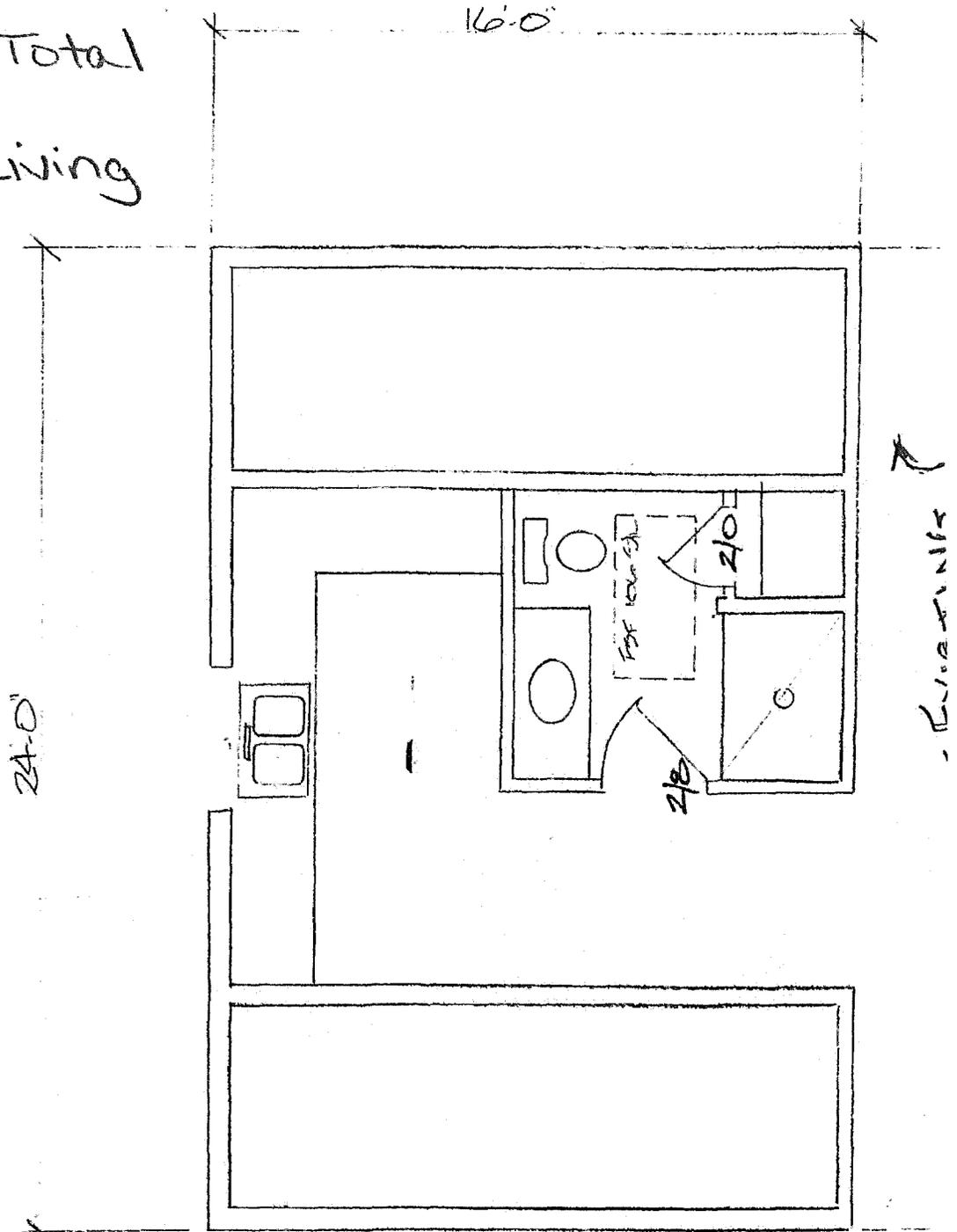


John, Carol Kauskis
1331 Westmore Ct
Stevens Point WI 54481
715 - 345 - 7250

New Area

16 x 24 Total

16 x 12 Living



RESOLUTION

[1140 MAIN STREET] [GUU'S]

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 **1140 Main Street (Parcel ID 2408-32-2029-31)**, W ½ LOT 8 BLK 29 V BROWN ADD 674/745 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of operating a tavern with the following conditions:

- 1) The extended area includes a 25' x 50' wide patio area to the north of the building as identified in the diagram below.



- 2) A fence shall surround the extension area. The fence shall meet the design standards of the Historic Preservation / Design Review Commission.
- 3) The operation of business related activities shall cease within the open extended premise area after 10 PM during all days of the week.
- 4) All other necessary approvals from other city review bodies, such as the Historic Preservation / Design Review Commission shall be obtained.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014

Drafted by: Michael Ostrowski
Return to: City Clerk

RESOLUTION

[1140 MAIN STREET]

BE IT RESOLVED by the Common Council of the City of Stevens Point, Portage County, Wisconsin, that based upon the application and after reviewing the Plan Commission record and hearing the testimony of interested parties, the Common Council determines that all conditions required have been met, the property located at **1140 Main Street (Parcel ID 2408-32-2029-31)**, described as W ½ LOT 8 BLK 29 V BROWN ADD 674/745, Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of constructing one, 2-bedroom apartment and one, 4-bedroom apartment. The Conditional Use Permit is subject to the following conditions:

- 1) The applicant must secure a multi-family license prior to occupying the unit.
- 2) An accurate floor plan of the second story shall be submitted by an architect or engineer to be reviewed by City staff prior to issuance of occupancy license and building permits.
- 3) All building codes shall be met prior to issuance of occupancy license.
- 4) Exterior improvements must be reviewed and approved by the Historic Preservation / Design Review Commission (windows, trim, etc).

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014

Drafted by: Michael Ostrowski
Return to: City Clerk

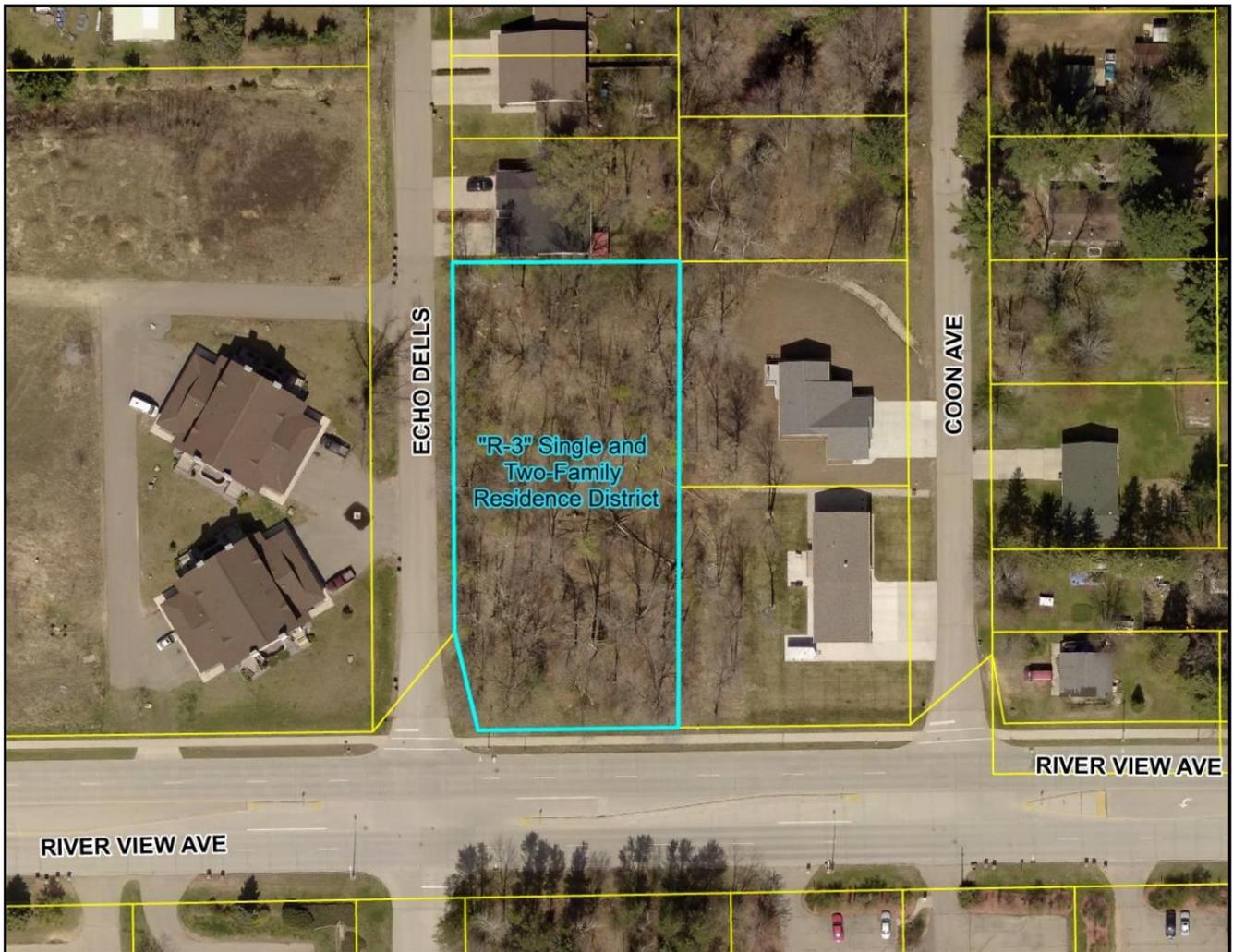
**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE
OF THE CITY OF STEVENS POINT, WISCONSIN**

**[NORTHEAST CORNER OF ECHO DELLS AVENUE & RIVERVIEW AVENUE
(PARCEL ID 2308-05-4203-04) REZONING]**

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

SECTION I: That the Zoning Ordinance of the Revised Municipal Code of the City of Stevens Point shall be amended to reclassify the following described territory from "R-2" Single Family Residence District to "R-3" Single and Two-Family Residence District:

PARCEL ID 2308-05-4203-04 - LOTS 6-7-8-9-10 BLK 4 & ALL OF VAC ALLEY RNG THRU SD BLK 4 ALL S 25' OF RAY ST VAC ADJ SD BLK 4 ON THE N SELLER ADD; EX CSM#9931-43-111 & EX HWY DES 688/181-5 & 688/192-6 BNG PRT NW SE S5 T23 R8 344/126



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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014
Published: June 20, 2014

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

[ZONING CODE – R-5 DISTRICT USES]

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

SECTION I: That Section 23.02(1)(g)(3) of the Revised Municipal Code of the City of Stevens Point be amended to allow the sale of product by a non-profit (501(c)(3)) organization as a conditional use within the R-5 Multiple Family II Residence District and read as follows:

Section 23.02(1)(g)(3)

3) Conditional Uses

- a) Conditional uses in "R-4" District
- b) Bus depot
- c) YMCA and YWCA
- d) Mobile home park
- e) Credit Unions and banks
- f) Single family dwelling
- g) Military Reserve and National Guard training installations or armories and grounds
- h) Accessory uses
- i) Industrial pipelines
- j) Parking lots serving any commercial use and not exceeding 50 spaces.
- k) Facilities of a commercial nature which either: (i) sell gift-type items which are made by senior citizens or other organized public or semi-public groups; or, (ii) a store that primarily sells used tangible personal property at retail that is owned by a nonprofit organization that qualifies for the income tax exemption under section 501(c)(3) of the Internal Revenue Code. Such Gift-type items can be either homemade or made in craft shops of facilities such as senior center, YMCA, YWCA, schools, or other similar institutional facilities. Such commercial facility shall not be free standing on a site, but must be a subordinate use of a non-profit larger institutional facility such as a senior center or non-profit office space."
- l) Upholstery repair shop

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014
Published: June 20, 2014

RESOLUTION

**[1578 STRONGS AVENUE]
[JUSTICE WORKS LTD / SHIFTING GEARS LLC]**

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 **1578 Strongs Avenue (Parcel ID 2408-32-2022-10)** described as CSM#258-1-258 BNG ALL OF LOTS 46 & 47 BLK 34 STRONG ELLIS & OTHERS ADD S32 T24 R8 768769, City of Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes of selling product. The Conditional Use Permit is subject to the following conditions:

- 1) Retail sales shall be clearly accessory to the main uses of the building.
- 2) Retail sales hours shall be limited to six hours per week and not occur before 8:00 AM or after 6:00 PM. Additional hours may occur on a case-by-case basis as approved by staff.
- 3) All bicycle repair, maintenance, storage, and/or sales shall be performed inside the facility.
- 4) No storage or display of equipment, tools, or product shall occur outside the building.
- 5) A solid/opaque fence 6 feet in height, subject to visibility requirements, shall be constructed along the west and north (only portion where the building is not parallel to the property line) property lines. The fence shall meet all code requirements.
- 6) Parking stalls shall meet the code requirements and shall be striped.
- 7) If required, refuse storage shall exist on the northwest corner of the property and be fully enclosed using solid opaque fencing.
- 8) Access on Strongs Avenue shall be utilized only as ingress to the property and have proper posted signage.
- 9) The conditional use shall expire in one year, on June 30, 2015

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Comment [MO1]: The Plan Commission recommended to deny this item. These were the conditions that were recommended by staff if the conditional use permit were to be approved.

Dated: June 16, 2014

Adopted: June 16, 2014

Drafted by: Michael Ostrowski

Return to: City Clerk

**ORDINANCE AMENDING THE COMPREHENSIVE PLAN
OF THE CITY OF STEVENS POINT, WISCONSIN**

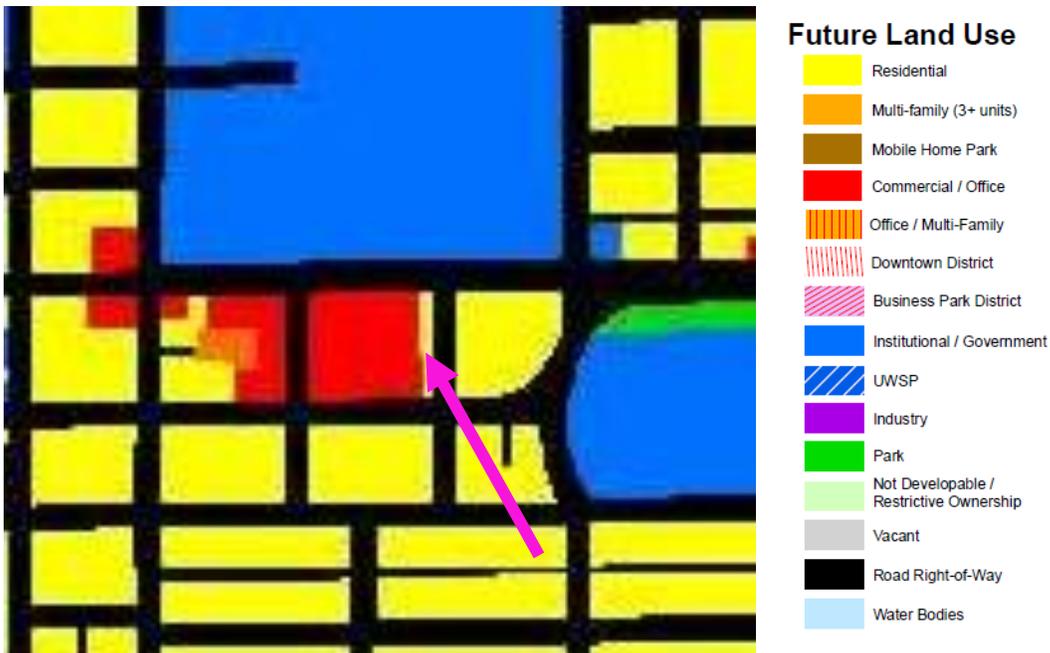
[COMPREHENSIVE PLAN – FUTURE LAND USE MAP]

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

SECTION I: That the Comprehensive Plan of the City of Stevens Point, pursuant to Section 66.1001(4)(c) of the Wisconsin Statutes, which is on file in the City Clerk’s Office, is hereby amended as follows:

The Map 8.3, Future Land Use Map, of the City of Stevens Point's Comprehensive Plan be amended by changing the following properties from residential to a commercial/office/multi-family land use designation:

- 2601 Main Street (Parcel ID 2408-33-2025-02)
- 2617 Main Street (Parcel ID 2408-33-2025-01)
- 1310 Chase Street (Parcel ID 2408-33-2025-14)
- 1318 Chase Street (Parcel ID 2408-33-2025-13)
- 2624 Clark Street (Parcel ID 2408-33-2025-12)



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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014
Published: June 20, 2014

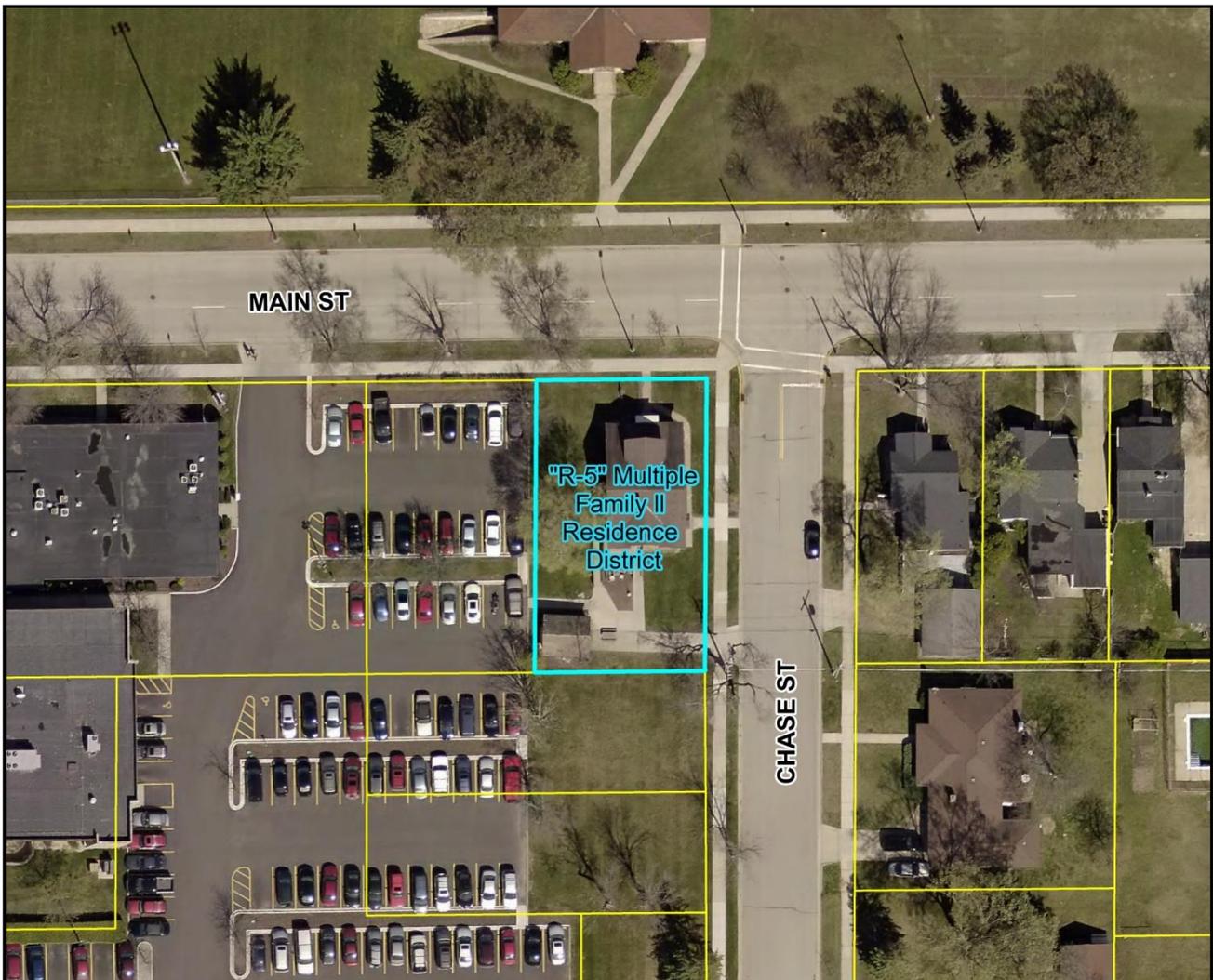
**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE
OF THE CITY OF STEVENS POINT, WISCONSIN**

[2617 MAIN STREET (PARCEL ID 2408-33-2025-01) REZONING]

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

SECTION I: That the Zoning Ordinance of the Revised Municipal Code of the City of Stevens Point shall be amended to reclassify the following described territory from “R-4” Multiple Family I Residence District to “R-5” Multiple Family II Residence District:

2617 MAIN STREET (PARCEL ID 2408-33-2025-01) - PRT NE NW S33 T24 R8 COM AT NE COR BLK 5 FAY & SPAULDING ADD TH N 115'; TH W 67 1/2'; TH S 115'; TH E 67 1/2' TO POB 652422



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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014
Published: June 20, 2014

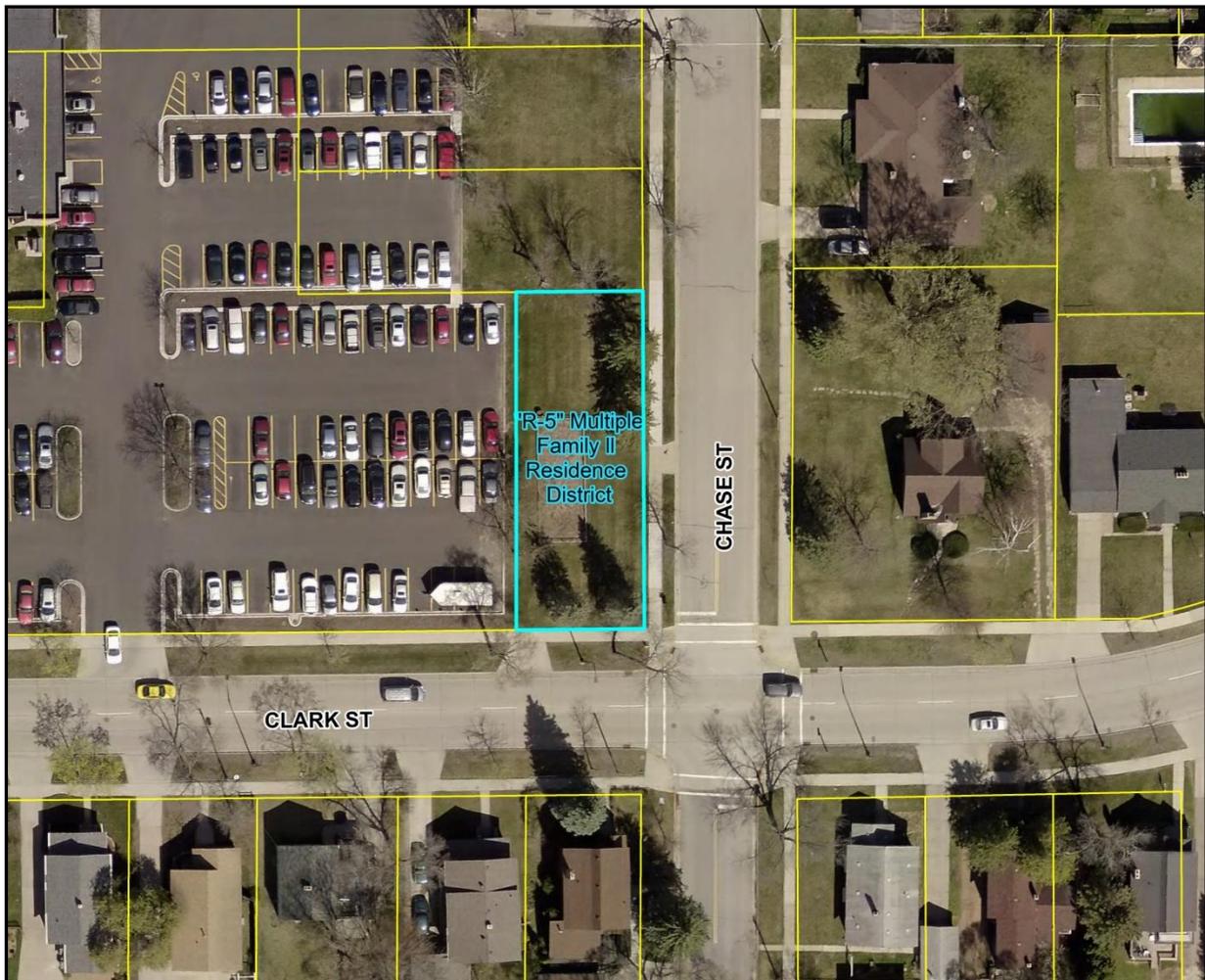
**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE
OF THE CITY OF STEVENS POINT, WISCONSIN**

[2624 CLARK STREET (PARCEL ID 2408-33-2025-12) REZONING]

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

SECTION I: That the Zoning Ordinance of the Revised Municipal Code of the City of Stevens Point shall be amended to reclassify the following described territory from “R-4” Multiple Family I Residence District to “R-5” Multiple Family II Residence District:

2624 CLARK STREET (PARCEL ID 2408-33-2025-12) - PRCL C CSM#556-2-216 BNG PRT LOT 3 BLK 5 FAY & SPAULDING ADD 622558



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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014
Published: June 20, 2014

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

[ZONING CODE – SMALL-SCALE ALCOHOL PRODUCTION FACILITIES]

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

SECTION I: That Section 23.02(2)(b)(3) of the Revised Municipal Code of the City of Stevens Point, B-2 Central Business Transition District be amended to read as follows:

3) Conditional Uses Such As:

- a) Drive-up banking facilities and branch banks
- b) Repair services not allowed or "permitted uses" in paragraph a)
- c) Non-municipal bus terminals
- d) YMCA and YWCA
- e) Private parking facilities operated as a business
- f) Taverns and cocktail lounges not part of a restaurant
- g) Liquor stores
- h) Gas and service stations
- i) Training and educational facilities for business, trade and professional occupations
- j) The retail sale of products or supplies which are necessary to any conditional, but that such retail sales be incidental to such conditional use
- k) All conditional uses allowed in the "B-1" District
- l) Half-way houses and correctional facilities as defined in Wisconsin State Statutes Chapter 302 and 59.54(14) or as amended.
- m) Small-scale alcohol production facilities**

SECTION II: That Section 23.04(2) of the Revised Municipal Code of the City of Stevens Point, Definitions, be amended to add the following definition:

SMALL-SCALE ALCOHOL PRODUCTION FACILITY - a type of brewery, winery, or distillery wherein the area of the establishment devoted to the production of malts and liquors shall not exceed ten thousand (10,000) square feet. The establishment may include a tasting room, office, retail, eating and drinking establishment, or event facility components in addition to the area devoted to production of malts and liquors.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014
Published: June 20, 2014

RESOLUTION

**[1201 WATER STREET]
[MICRO-WINERY]**

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 **1201 Water Street (Parcel ID 2408-32-2016-03)**, LOT 1 & W7 ½' OF S 86' OF LOT 2 & W42 ½' OF N 46' OF LOT 2 BLK 3 EXC PRT SOLD WELTMAN-221/210 S E & 0 ADD 600195 714052 714053 Stevens Point, Portage County, Wisconsin, is hereby granted a Conditional Use Permit for the purposes operating a micro-winery with the following conditions:

- 1) All improvements shall obtain pertinent building permits prior to construction.
- 2) Exterior improvements shall receive necessary approval by the Historic Preservation / Design Review Commission.
- 3) Truck traffic to and from the site shall not impede traffic along Crosby Avenue and Water Street.
- 4) The receiving/shipping doors shall remain closed during all other operational activities not related to receiving and shipping.
- 5) The conditional use permit shall expire in two years, on June 30, 2016.

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

Approved: _____

Andrew J. Halverson, Mayor

Attest: _____

John Moe, City Clerk

Dated: June 16, 2014

Adopted: June 16, 2014

Drafted by: Michael Ostrowski

Return to: City Clerk

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

[ZONING CODE – MINIMUM LOT SIZE FOR ONE UNIT DWELLING IN THE R-4 AND R-5 ZONING DISTRICTS]

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

SECTION I: That Section 23.02(1)(f)(4) of the Revised Municipal Code of the City of Stevens Point, R-4 Multiple Family I Residence District, shall be amended to read as follows:

“R-4” MULTIPLE FAMILY I RESIDENCE DISTRICT

USE	LOT AREA AND DENSITY	LOT WIDTH	HEIGHT OF STRUCTURE	SIDE YARD	STREET SETBACK	REAR YARD	PARKING	AREA OF STRUCTURE	MIN. BLDG. WIDTH
Dwellings	<p>One Unit Dwelling: 10,0008,000 s.f. Min.</p> <p>Two Unit Dwelling: 12,000 s.f. Min.</p> <p>3-4 Unit Dwelling: 15,000 s.f. Min.</p> <p>2,000 s.f. of lot area per person not a member of resident family in development with 1-4 units.</p> <p>5-9 Units: Ground floor - 3,500 s.f. /1st fl. +100 s.f./bdm. Above gr. fl. - 2,600 sq. Ft. + 100s.f./bdm.</p> <p>10-23 Units: Ground floor - 3,700 s.f. + 100s.f./bdm. Above gr. fl. - 2,900 s.f. + 100 s.f./bdm.</p> <p>24+ Units: Ground floor - 4,100 s.f. + 100 s.f./bdm. Above gr. fl. - 3,300 s.f. + 100 s.f./bdm.</p>	60 ft., 80 ft. For corner lots	45 ft. Or 4 stories	10 ft. On each side	25 feet	Not less than 20% of lot depth, but not less than 15 ft. And need not exceed 30 ft.	Per 23.01(14)	One family dwelling - 900 sq.ft.	18 ft.
All other Permitted Uses	8,000 sq.ft.					30 ft.			
Cond. Uses	3 or more units shall be required to submit a site plan, building elevations, and landscaping plans prior to Cond. Use. Review.								

SECTION II: That Section 23.02(1)(g)(4) of the Revised Municipal Code of the City of Stevens Point, R-5 Multiple Family II Residence District, shall be amended to read as follows:

“R-5” MULTIPLE FAMILY II RESIDENCE DISTRICT

USE	LOT AREA AND DENSITY	LOT WIDTH	HEIGHT OF STRUCTURE	SIDE YARD	STREET SETBACK	REAR YARD	PARKING	AREA OF STRUCTURE	MIN. BLDG. WIDTH
Dwellings	<p>One Unit Dwelling: 10,0008,000 s.f. Min.</p> <p>Two Unit Dwelling: 12,000 s.f. min.</p> <p>3-4 Unit Dwelling: 15,000 s.f. min.</p> <p>2,000 s.f. of lot area per person not a member of resident family in developments with 1-4 units</p>	60 ft., 80 ft. For corner lots	85 ft.	10 ft. On each side	25 ft. Except where the dwelling or structure abuts a pedestrian mall as created by the City under SS 66.298 where the Council may reduce the	20 ft.	Per 23.01(14)	0	18 ft. Unless manufactured home located in mobile home park

	<p>5-9 Units: Ground Floor - 3,500 s.f./1st floor 100 s.f./bdrm. Above ground floor - 2,600 s.f. + 100 s.f./bdrm.</p> <p>10-23 Units: Ground Floor - 3,700 s.f. + 100 s.f./bdrm. Above ground floor - 2,900 s.f. + 100 s.f./bdrm.</p> <p>24+ Units: Ground Floor - 4,100 s.f. + 100 s.f./bdrm. Above ground floor - 3,300 s.f. + 100 s.f./bdrm.</p>				setback to 0 feet				
All Other Permitted Uses	8,000 s.f.								
Cond. Uses	3 or more units shall be required to submit a site plan, building elevations, and landscaping plans prior to Cond. Use Review								

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: June 16, 2014
Adopted: June 16, 2014
Published: June 20, 2014

**CITY OF STEVENS POINT
PUBLIC PROTECTION COMMITTEE
Monday, June 9, 2014 – 6:08 P.M.
Lincoln Center – 1519 Water Street**

Present: Alderpersons: Slowinski, Wiza, Trzebiatowski, M. Stroik, Doxtator

Also

Present: Mayor Halverson; City Attorney Beveridge; Clerk Moe; Comptroller/Treasurer Ladick; Alderpersons Patton, R. Stroik and Phillips; Directors Schrader, Ostrowski and Schatschneider; Interim Chief Finn; Asst. Chief Zenner; Human Resource Manager Jakusz; Finance Office Manager Freeberg; Julie Birrenkott; Scott Gralla; Cathy Dugan; Mary Ann Laszewski; Barb Jacob; Thomas Valenta; Sari Lesk; Bob Fisch; Trevor Roark; Nate Enwald – Gazette; Brandi Makuski – City Times

1. License List:

- A. New and Renewal Operator's (Bartender's) Licenses.**
- B. Manager's License.**
- C. Temporary Class "B" / "Class B" License (Picnic) - Tavern League of Wisconsin – Portage County, 1236 County Rd HH West, Stevens Point for NICU Wildcard Draft Tournament on July 26, 2014 at Iverson Park. Licensed operators on the premise: Krystle Amble and Lindsay Zuelke. (Beer only)**
- D. "Class B" Combination Beer And Liquor License – Willow Maple, LLC, for Grazies Italian Grill, 5327 Hwy 10 East, Stevens Point for license period beginning July 1, 2014.**
- E. Extension of Licensed Premise – Guu Inc., 1140 Main Street, Stevens Point, WI at Guu's on Main, 1140 Main Street, Stevens Point, WI 54481. Premise extension to include a back patio area (25' x 50').**
- F. Commercial Animal Establishment (Renewal) – Country Paws Bed & Biscuit, 2107 Country Club Drive, Stevens Point, WI; Laura Bronk, 2107 Country Club Drive, owner.**
- G. Junk Dealer / Recycling License (Renewal) – Express Recycling LLC, 2608 Water Street, Stevens Point, Matt and Tim Zacher, owners.**

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, approval of the new and renewal Operator's (Bartender's) Licenses, Manager's License, Temporary Class "B" / "Class B" License (Picnic) - Tavern League of Wisconsin – Portage County for NICU Wildcard Draft Tournament on July 26, 2014 at Iverson Park with licensed operators on the premise as Krystle Amble and Lindsay Zuelke, "Class B" Combination Beer And Liquor License for Willow Maple, LLC, for Grazies Italian Grill, 5327 Hwy 10 East, Stevens Point for license period beginning July 1, 2014, extension of licensed premise for Guu Inc., 1140 Main Street, Stevens Point, WI at Guu's on Main, 1140 Main Street, Stevens Point, WI 54481 to include a back patio area (25' x 50'), Commercial Animal Establishment (Renewal) for Country Paws Bed & Biscuit, 2107 Country Club Drive, Stevens Point, WI; Laura Bronk,

2107 Country Club Drive, owner and Junk Dealer / Recycling License (Renewal) for Express Recycling LLC, 2608 Water Street, Stevens Point, Matt and Tim Zacher, owners.

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

2. Request to Hold Event / Street Closings:

- A. Stevens Point Brewery - Pointoberfest and 5K Blubber Run on September 20, 2014 at the Brewery Park and street closure of a portion of Water St.**
- B. UWSP – Adventure Tours - Ciclovía WI 2014 on September 28, 2014 with partial closures of Crosby Avenue and Franklin Street.**
- C. UWSP – Annual Homecoming Parade on September 27, 2014 with partial closure of Reserve Street.**

Asst. Chief Zenner stated the closure of Franklin Street for the Ciclovía event is new this year which could possibly create access and parking issues.

Trevor Roark, 601 Washington Avenue, said the intersection would only be partially closed so it will be accessible and traffic would be rerouted to Forest Street for access to the boat launch.

Ald. Wiza asked Mr. Roark if the Pfiffner building was rented for the day.

Trevor Roark replied, yes.

Ald. Wiza said nobody that he talked to had any issues with this request. The alderperson added this is a good event that enhances the park area.

Ald. Wiza **moved**, Ald. Slowinski seconded, approval of all of the events and street closings as presented.

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

3. Monthly Inspection Report.

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

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

4. Adjournment.

Adjournment at 6:15 p.m.

CITY OF STEVENS POINT

PERSONNEL COMMITTEE MEETING MINUTES

Monday, June 9, 2014 – 6:20 p.m.

Lincoln Center ~ 1519 Water Street

PRESENT: Chairperson Phillips; Aldermen Moore, Patton, Wiza

EXCUSED: Alderperson Suomi

OTHERS

PRESENT: Mayor Halverson; C/T Ladick; Clerk Moe; Attorney Beveridge; Alderpersons R. Stroik, M. Stroik, Slowinski, Trzebiatowski; Directors Ostrowski, Schrader, Schatschneider; Carrie Freeberg; Tricia Church; Cathy Dugan; Barb Jacob; Mary Ann Laszewski; Roger Hackler; Bob Fisch; Interim Chief Finn; Assistant Chief Zenner; Chief Ruder; Nate Enwald, Portage County Gazette; Brandi Makuski ~ SPCT; Sari Lesk ~ Stevens Point Journal; Human Resource Manager Jakusz

Chairperson Phillips called the meeting to order.

1. Modification to Administrative Policy 3.01 (11) regarding uniform allowance for Administrative Assistant's in the Police and Fire Departments
Human Resource Manager Jakusz indicated that this was included on the agenda per Alderman Wiza's request for further clarification of the policy at the May Personnel Committee meeting. She went on to reference the e-mail excerpt from former Director McGinty as to how the policy came to be added to the City Administrative Policies.

Alderman Wiza was appreciative of Director McGinty's efforts to clarify and further define the allowance.

Alderman Patton voiced concern over limited employees to the number of shirts; he feels it would be more appropriate to maintain a budget item within the City's guidelines for standard uniform items.

Alderman Wiza stated that he understood a badge wouldn't be needed on an annual basis. He questioned Alderman Patton as to what would define a "standard uniform".

One idea would be to allow for uniform shirts up to a set dollar amount per calendar year.

Chief Ruder stated that one problem is taking discretion from the Chiefs. He suggests adding a line item in the respective department budgets for uniform for clerical only.

He added that he understands this came about because of bad decisions in the past.

He suggests creating a line item and question the Chief regarding the line item. If you don't agree, cut my budget.

He added that is important that Chief's have staff that look professional.

Alderman Wiza stated that he is concerned that the benefit be administered in a fair way for each employee.

Mayor Halverson stated that the Committee should be careful with their decision due to the authority of the optional powers Police and Fire Commission. He feels the Committee should determine if a uniform should exist and the amount that can be expended for it.

Alderman Moore asked how this came to be included in the City's Administrative Policies.

Human Resource Manager Jakusz replied that there had been concerns over expenditures made. Attempts to resolve the issues via contact with the Fire Chief and Police and Fire Commission were not successful. As a result, she received the e-mail from Director McGinty (an excerpt of which was included in her cover memo) to include a policy regarding uniform and the extent of the uniform in the revised Administrative Policies.

City Attorney Beveridge stated that the inclusion of the policy as written in the City's Administrative Policies is fine, the other option is for the City Council can say the City will pay to this extent; either way (number of shirts or line item with dollar amount) would fall within their purview.

Alderman R. Stroik stated that he likes the draft policy amendment. Prices can fluctuate. Employees can purchase navy blue pants at any department store; they can't buy uniform shirts at any department store.

Interim Chief Finn stated that different uniform shirts are worn on different days. He went on to read a statement written by Dave Schliehs, President

of the Police and Fire Commission supporting the creation of a specific line item to include "standard uniform apparel".

Comptroller/Treasurer Ladick stated that the creation of a separate line item is not an issue. It does not take City Council action to create a budget line item. However, that practice should not be governed by a City Administrative Policy.

Chief Ruder stated that he would like to reiterate that the Council hires the Police and Fire Chief's; the discretion over uniform should lie with them.

Barb Jacob stated that she is not sure that two uniform shirts would be adequate. She believes that three or four may be more realistic.

Alderman Patton moved to approve the amendment to City Administrative Policy 3.01 (11) as follows:

"If the Administrative Assistant(s) in the Police and Fire Department(s) are required to wear uniforms, the City will create a specific line item in the budget to purchase standard uniform apparel."

Alderman Wiza seconded the motion. Discussion ensued.

Human Resource Manager Jakusz restated Comptroller Treasurer Ladick's concern over having an Administrative Policy govern a function of the budget process.

Ayes: Patton, Wiza
Nays: Moore, Phillips

Motion failed due to a tie vote. The item will go out to the City Council for consideration without a recommendation from the Personnel Committee.

2. Notice of Employee Participation in Political Activities

Alderman Moore moved to accept the notice and place it on file; Alderman Wiza seconded. Ayes all; nays none. Motion carried.

3. Request to fill Water Operator Vacancy

Human Resource Manager Jakusz stated that this position is included in the 2014 budget.

Alderman Patton moved to approve the request; Alderman Moore seconded. Ayes all; nays none. Motion carried.

4. Request to hire for a Water Operator/Well Operator Position
Reference was made to the memo from Director Lemke that was included in the packet.
Alderman Moore moved to approve the request; Alderman Wiza seconded. Ayes all; nays none. Motion carried.
5. Request to fill Wastewater Superintendent Vacancy through internal promotion and subsequent filling of Wastewater Chief Operator Vacancy
Alderman Patton moved to approve the request; Alderman Moore seconded. Ayes all; nays none. Motion carried.
6. Adjournment ~ 6:51 p.m.

CITY OF STEVENS POINT
SPECIAL
PERSONNEL COMMITTEE MEETING MINUTES
Monday, May 19, 2014 – 6:45 p.m.
CITY COUNCIL CHAMBERS ~ 1516 Church Street

PRESENT: Chairperson Phillips; Alderpersons Moore, Patton, Suomi, Wiza

OTHERS

PRESENT: Mayor Halverson; C/T Ladick; Clerk Moe; Attorney Beveridge;
Alderpersons Doxtator, R. Stroik, M. Stroik, O'Meara, Slowinski;
Director Lemke; Human Resource Manager Jakusz

Chairperson Phillips called the meeting to order.

Motion by Alderman Wiza, second by Alderman Moore to adjourn into closed session pursuant to Wisconsin State Statute 19.85(1) (e) [conducting other specified public business, whenever competitive or bargaining reasons require a closed session] for:

- A. Update on bargaining and review of the modification to the 2013 – 2014 AFSCME Local 309 – Transit Tentative Agreement.

Roll Call: Phillips / Moore / Patton / Suomi / Wiza

Motion by Alderman Wiza, second by Alderman Moore to reconvene into open session at 6:58 p.m. for action on the 2013 – 2014 AFSCME Local 309 – Transit Tentative Agreement.

Roll Call: Phillips / Moore / Patton / Suomi / Wiza

Motion by Alderman Wiza, second by Alderman Moore to recommend ratification of the 2013 – 2014 AFSCME Local 309 – Transit Tentative Agreement.

Ayes all, nays none. Motion carried.

Adjournment ~ 6:59 PM.

CITY OF STEVENS POINT

BOARD OF PUBLIC WORKS MEETING

Monday, June 9, 2014

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; **Alderspersons:** George Doxtator(1st), Michael O'Meara(3rd), Jeremy Slowinski(6th) and Randal Stroik(9th).

DISMISSED: JoAnne Suomi(2nd)

ALSO PRESENT:

DIRECTORS: Michael Ostrowski – Community Development, and Tom Schrader – Parks and Recreation.

ALDERPERSONS: Mike Wiza(4th), Mary Stroik(5th), Roger Trzebiatowski(7th), Michael Phillips(10th) and Jerry Moore(10th).

CITY STAFF MEMBERS: City Attorney A. Logan Beverage, City Clerk John Moe, Deputy C/T Carrie Freeberg, Administrative Assistant to the Mayor Kelley Pazdernik, Interim Fire Chief Bob Finn, and Police Chief Kevin Ruder.

OTHERS PRESENT: Brandi Makuski – Stevens Point City Times, Brian Kowalski and Sari Lesk – Stevens Point Journal, Bruce Gerland, David Hansen and Kevin Hagen – AECOM Technical Services, Chuck Rasmussen – OTIE Engineer, Barb Jacob – 1616 Depot Street, MaryAnn Laszewski – 9th District, Cathy Dugan – 615 Sommers Street, and Bob Fisch – 1033 Smith Street.

Mayor Andrew Halverson called the Board of Public Works meeting to order on June 9, 2014 at 6:51 P.M. The meeting was held at The Lincoln Center at 1519 Water Street in Stevens Point, WI 54481.

1. Consideration and possible action on determination of direction in terms of the existing design contract for Business 51.

Director Schatschneider reiterated last months meeting we decided to switch gears from the Business 51 Project to the Hoover Road Grade Separation Project, however; we have some decisions that need to be made regarding the Business 51 Project. The decision before the board is what we want to do with the existing Tiered EA and 30% Design Contract with AECOM. Attached in the packet is a memo from AECOM explaining where we have been, where we are at and what we have for tasks that are left to be done along with corresponding dollar amounts.

Mayor Halverson added that the option we are looking to proceed with is additional dollars for the full environmental document as laid out in the AECOM Memo for a total cost of \$996,178.00 with \$820,578.00 being the amount of the existing contract then adding supplemental dollars to finish the process of \$176,600.00.

Aldersperson Doxtator said it looks like a no brainer on paper. 10 years from now it will cost us \$1.6 million to start this process over again.

Aldersperson Stroik asked if in 10 years from now this document would be binding or would Council at that time be able to start the process over if they choose at that time. He feels that Council in 10 years may look at the document and want to review it because it could be a completely different dynamic than it is today. He feels it is foolish to spend another \$300 thousand to put on a shelf for 10 years when we could spend that money on projects today.

Mayor Halverson added that the force of an environmental document once finished and a preferred alternative chosen would indeed be binding especially if the same regulations for the Federal Highway System as well as WisDOT interaction continue.

C/T Ladick asked how long this document would take to complete and how long would the plan sit collecting dust so to speak. Director Schatschneider said there is somewhere around 18 months of work yet to be done before it could sit anywhere from 8 to 10 years but it allows us to move forward with steps for when we are at the point when we can do the project. He reiterated that this will not be a document that gets finished then shelved; this will be a working document that will give us direction as we get closer to the date when we can do Business 51.

Aldersperson O'Meara added another advantage to getting the document far enough along is it would allow us to do individual parts to the project. We would have opportunities to do short segments on intersections we are having safety issues with. We may be eligible for Federal Safety Funds to fix individual intersections as needed as long as it fits into the final picture of the project. Another way it helps is if there would be a foreclosure or house or business for sale we would have a way to justify early acquisition.

Aldersperson Doxtator added that Aldersperson Suomi is excused tonight but is very concerned about the intersections that we are having major traffic problems with so if we complete this study it could help us fix certain areas.

Mayor Halverson added that he had discussions last week with Aldersperson Suomi and conveyed her support for wanting to fulfill the environmental documents for those reasons.

Aldersperson Slowinski asked if we move forward with this and this corridor completely explodes with changes are we going to have to start this process over. Mayor Halverson said in terms of the traffic assumptions that were built into the analysis and generation modeling; he can't foreshadow how it would be more aggressive. AECOM significantly increased the growth assumptions to accommodate for the former Ramada site, The University, and Sentry Insurance. He feels we will be adequate even at a 10 year look back at the model from today.

Aldersperson Wiza stressed his concerns with completing a document that will not be used for 10 years. He feels we would be throwing money away if we continue with this study. He feels we should take the advice of the people that have shown up at the public meetings and let the people 10 years from now decide what is best for them.

Aldersperson O'Meara added that we would not really be putting this document on the shelf for 10 years because as we have trouble with intersections, this will give us the ability to look at different segments and justify doing them in conformance with the overall plan.

Mayor Halverson moved approval of continuing with the full environment document and authorizes the Director and himself to enter into contract negotiations for the additional costs with AECOM for Business 51; seconded by Aldersperson O'Meara.

Ayes majority; nays minority; motion carried

2. Consideration and possible action to accept the Director's Report and place it on file.

Director Schatschneider reported an update on the status of the Seawall Project. We issued a check to FEMA for review fees and June 13th is their 90 day deadline. We are hoping for good news by the end of June. Mayor Halverson added that for the hopeful imminent authorization, the Community Development Office has started work to prepare for getting the Letter of Map Revision ready for approval from the Plan Commissions prospective for the July meeting.

Aldersperson O'Meara moved approval; seconded by Aldersperson Slowinski.

Ayes all; nays none; motion carried

3. ADJOURNMENT: Mayor Andrew Halverson adjourned the June 9, 2014 Board of Public Works Meeting at 7:10 P.M.

FINAL RESOLUTION

WHEREAS, the Common Council of the City of Stevens Point, Wisconsin, held a public hearing at the Council Chambers at 7:00 P.M. on the 19th day of May, 2014, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Board of Public Works on the proposed public improvement consisting of the following:

- A. FOR REPLACEMENT OF NON-STANDARD WATER SERVICES - PROJECT # 14-01.
 - 1) All property fronting upon both sides of **BUKOLT AVENUE** from its intersection with Front Street to its intersection with Georgia Street. (Project # 14-01)
 - 2) All property fronting upon both sides of **GEORGIA STREET** from its intersection with Bukolt Avenue to its intersection with Sixth Avenue. (Project # 14-01)

- B. FOR REPLACEMENT OF NON-STANDARD SANITARY SEWER LATERALS - PROJECT # 14-01.
 - 1) All property fronting upon both sides of **BUKOLT AVENUE** from its intersection with Front Street to its intersection with Georgia Street. (Project # 14-01)
 - 2) All property fronting upon both sides of **GEORGIA STREET** from its intersection with Bukolt Avenue to its intersection with Sixth Avenue. (Project # 14-01)

- C. FOR INSTALLATION OF STORM SEWER LATERALS AND REPLACEMENT OF EXISTING NON-STANDARD STORM SEWER LATERALS-PROJECT # 14-01.
 - 1) All property fronting upon both sides of **BUKOLT AVENUE** from its intersection with Front Street to its intersection with Second Street. (Project # 14-01)
 - 2) All property fronting upon both sides of **GEORGIA STREET** from its intersection with Bukolt Avenue to its intersection with Sixth Avenue. (Project # 14-01)

and proposed assessments against benefitted property, and heard all persons who desired to speak at the hearing.

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Stevens Point, Wisconsin, determines as follows:

- 1. The report of the Board of Public Works, pertaining to installation of the above described public improvements, including plans and specifications and assessments set forth therein, is adopted and approved.

2. That the Board of Public Works has advertised for bids and has provided for the supervision of construction of the improvements in accordance with the report of the Director of Public Works.
3. That payment of the improvements be made by assessing the entire cost to the property benefitted as indicated in the report.
4. That the assessments shown on the report, representing an exercise of the police power, have been determined on a reasonable basis and are hereby confirmed.
5. That the assessments for all projects included in the report are hereby combined as a single assessment but any and all interested property owner may object to each assessment separately or all assessments jointly for any purpose.
6. That the assessments may be paid in cash or at the option of the property owner in five (5) annual installments at an interest rate of 2.50% per annum or in ten (10) annual installments at an interest rate of 4.60% per annum on the unpaid balance. A property owner shall have 30 days in which to make the payment election, as provided in the resolution.
7. That the City Clerk shall publish this resolution as a Class I notice in the assessment district and mail a copy of this resolution and a statement of the final proposed assessment against the benefitted property to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

APPROVED: _____
Andrew Halverson, Mayor

ATTEST: _____
John Moe, City Clerk

Dated: June 11, 2014
Adopted: June 16, 2014
Published: June 20, 2014

**FINANCE COMMITTEE
JUNE 9, 2014 AT 7:11 P.M.
LINCOLN CENTER – 1519 WATER STREET**

PRESENT: Alderpersons Patton, R. Stroik, Slowinski, O’Meara and M. Phillips

ALSO

PRESENT: City Attorney Beveridge; C/T Ladick; Clerk Moe; Ald. Moore, Wiza, Trzebiatowski, M. Stroik, Doxtator; Directors Ostrowski, Schrader, Schatschneider; Asst. Police Chief Zenner; Interim Fire Chief Finn; Finance Office Manager Freeberg; Steve Shepro; Mary Ann Laszewski; Brandi Makuski; Nate Enwald; Barb Jacob

ITEM #1 – INFORMATIONAL PRESENTATION BY THE COMPTROLLER-TREASURER ON THE COMPONENTS OF FUND BALANCE.

C/T Ladick gave a brief presentation on the five components of fund balance (Nonspendable, Restricted, Committed, Assigned, and Unassigned). He explained that the five components go in order of most constrained/available to least constrained/available, and gave examples from the City’s financial statements for each category. He showed how the amounts in each category changed between 2011 and 2012, and what that shows in terms of big picture trends for the City’s financial situation.

ITEM #2 – APPROVAL OF PAYMENT OF CLAIMS.

Motion made by Ald. O’Meara, seconded by Ald. Phillips to approve the payment of claims in the amount of \$5,072,173.11.

Ayes: All Nays: None Motion carried.

ITEM #3 – ADJOURN INTO CLOSED SESSION (APPROXIMATELY 7:15 P.M.) PURSUANT TO WISCONSIN STATUTES 19.85(1)(E) (DELIBERATING OR NEGOTIATING THE PURCHASING OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION) ON THE FOLLOWING:

A. UPDATE ON 100 SECOND STREET NORTH (FORMER MICKEY’S RESTAURANT) AND 104 SECOND STREET NORTH (KENT’S SERVICE CENTER) RELATING TO NEGOTIATIONS WITH LAND OWNERS.

Adjourned into closed session at 7:28 p.m.

Roll Call: Ayes: Ald. Patton, R. Stroik, Phillips, Slowinski and O’Meara Nays: None
Motion carried.

ITEM #4 – RECONVENE INTO OPEN SESSION (APPROXIMATELY 7:25 P.M.) FOR POSSIBLE ACTION ON THE ABOVE CLOSED SESSION ITEMS.

Reconvene into open session at 7:40 p.m.

Motion made by Ald. Patton, seconded by Ald. Phillips to purchase the property at 100 North Second Street (former Mickey’s Restaurant) for \$87,000.

Mary Ann Laszewski spoke against the motion stating that we should save our money for higher priority items, such as the library. She stated that she believes this is more of a want rather than a

need and that she would like to see the street barricaded off and use Walker Street instead because that road was already widened. She also hopes to see an itemization of the costs, once they are compiled.

Ald. R. Stroik questioned how the environmental issues are being handled. City Attorney Beveridge replied that during Phase I, all that was discovered was a small amount of asbestos. He went on to say that there was storage tanks underground on the Kent's Towing property, but that they were remediated and tests show they are clear.

Ald. R. Stroik questioned if we purchase the property, would we be releasing the Lodzinski's from anything further. City Attorney Beveridge replied yes, the property owner would have no further liability.

Ayes: Ald. O'Meara, Phillips and Patton
Motion carried.

Nays: Ald. Slowinski and Ald. R. Stroik

Adjournment at 7:49 P.M.



Police and Fire Commission

City of Stevens Point
1515 Strongs Avenue
Stevens Point WI 54481

David Schleih, President
(715) 346-1508

June 2, 2014
4:03 p.m.

- 1. Roll Call:** Commissioners Hanson, Kirschling, Schleih and Wescott

Also Present: Police Chief Kevin Ruder, Interim Fire Chief Bob Finn, Alderperson Tony Patton, Records Bureau Supervisor Lee Ann Spoon

- 2. People to be heard and announcements**

Chief Ruder commended Sergeants Babl, Retzki and Rottier for their actions in maintaining and securing the scene at the fatal airplane crash on June 1, 2014.

Chief Ruder informed the commission of his intent to run for the open school board seat vacated by Renae Sheibly. He has submitted the appropriate paperwork to the Personnel Committee per City Administrative Police 1.10.

- 3. Update on Fire Chief Recruitment process**

To date 24 applications have been received.

Lee Ann will follow-up with Lisa on whether she has contacted other departments who recently went through a fire chief recruitment process to see if they could advise of any viable candidates for the Stevens Point recruitment process.

There will be a special meeting on June 17th to further discuss the recruitment process.

- 4. Discussion, with possible action, City Administrative Policy 3.01(11), Uniform/Clothing Allowance**

Lisa Jakusz forwarded the commission a draft of the amendment to the City's Administrative policy detailing the uniform pieces that will be provided to the Administrative Assistants in the Police and Fire Departments if the employees are required to wear a uniform. The frequency of purchases is also addressed within the revision.

Per Lisa's discussion with the Personnel Committee Chairman Michael Phillips, the amendment was drafted as follows and will be on the June 9th Personnel Committee agenda:

"If the Administrative Assistant(s) in the Police and Fire Department(s) are required to wear uniforms, the City will provide **two (2)** uniform shirts **per calendar year** and badge **as needed**."

The commission discussed at length the clothing allowance for Administrative Assistant Lorna Whalen.

Commissioner Kirschling moved, seconded by Commissioner Hanson, that if the Administrative Assistants in the Police and Fire Departments are required to wear a uniform, the city will create a specific line item in the operational budget to purchase standard uniform apparel.

Ayes, all; nays, none. Motion carried.

5. Discussion, with possible action, initiation of firefighter/paramedic recruitment process

The currently eligibility list expires June 22, 2014.

Interim Chief Finn has compiled a list of approximately 15 to 20 applicants that will be interviewed in July. A new eligibility list will be established prior to the middle of July.

6. Consent Agenda (Action) (Roll Call Vote)

- a. **Minutes – May 6, 2014 and May 20, 2014**
- b. **Monthly bills**
- c. **Fire Chief's Report/EMS Report**
- d. **Police Chief's Report**

Commissioner Wescott moved, seconded by Commissioner Hanson, to approve the consent agenda items as outlined above.

Ayes, all; nays, none. Motion carried.

7. Adjournment.

The meeting adjourned at 5:01 p.m.



Police and Fire Commission

City of Stevens Point
1515 Strong's Avenue
Stevens Point WI 54481

David Schleih, President
(715) 346-1508

May 20, 2014
4:03 p.m.

1. **Roll Call:** Commissioners Hanson, Kirschling, Schleih and Wescott
Commissioner Taylor, excused

Also

Present: Interim Fire Chief Bob Finn, Assistant Chief Joe Gemza, City Attorney Andrew Beveridge, Firefighter Paramedic Justin Thomson, Firefighter Paramedic Matthew Zander, Derek Matykowski - Wisconsin Rapids Fire Department, Lee Ann Spoon - Records Bureau Supervisor, Sarah McQueen - Portage County Gazette

2. **Discussion, with possible action, Firefighter Union Local 484 grievance regarding incorrect pay for off duty ambulance run/emergency call back**

A grievance was filed on behalf of MPO/Paramedic Ron Heibler and Firefighter/Paramedic Trevor Howard regarding the incorrect payment for an off-duty ambulance run and emergency call back on January 14, 2014. On January 15th Chief Kujawa met and discussed pay with Ron Heibler and Trevor Howard which the union contends resulted in payment that does not reflect accurate payment per the bargaining agreement.

The Union contends that by incorrectly paying MPO/Paramedic Heibler and FF/Paramedic Trevor for the off duty ambulance run and emergency call back the city has disregarded the agreement between the City of Stevens Point and the International Association of Firefighters Local 484, thus violating the following articles:

- Article 2 – Management Rights
- Article 8 – Overtime; A. Emergency Call Back Pay; B. Off-duty Ambulance Runs
- Article 21 – Existing Rights

The union's resolution is to pay the affected members for the off-duty ambulance run as per Article 8: Section B. Also, pay the members for the emergency call back, five hours, per Article 8: Section A.

A discussion was held.

Commissioner Schleih moved, seconded by Commissioner Hanson, to sustain the Fire Chief's denial of the grievance.

Ayes: Commissioners Schleih, Hanson and Wescott

Nays: Commissioner Kirschling

3. Update on Portage County EMS Summit

An EMS Summit was held on May 15th. A copy of the EMS Summit Presentation is located on Portage County's Website under the Emergency Medical Services section.

4. Update on Fire Chief Recruitment Process

Ads have been placed in the following publications:

- The Municipality. An ad will appear in the June publication.
- Daily Dispatch. Ad was posted as of May 14th within IAFC Division.
- State Job Site. Ad is posted as of May 16th.
- City Web Site. Position is posted on city's website.
- The PC Gazette. Ad placed in Gazette.

At the June commission meeting key partners who will be involved in the interviewing process will be identified.

5. Monetary donation to Police Department from Central Wisconsin Model Railroaders Ltd.

Commissioner Schleih moved, seconded by Commissioner Wescott, to accept a donation in the amount of \$150.00 to be used to support the Police Auxiliary Unit. The money was generated by the Central Wisconsin Model Railroaders Club during their 17th annual model railroad show in January.

Ayes, all; nays, none. Motion carried.

6. Police and Fire Commission appointment to Portage County EMS Tech Team

This item was tabled.

7. Adjournment

The meeting adjourned at 5:50 p.m.

Minutes
Transportation Commission Meeting
Conference Room- 2700 Week Street
May 22, 2014

Commission members in attendance: Chairperson Nichole Lysne, Ald. Mary Stroik, Fred Hopfensperger, Karalyn Peterson

Excused: Ald. Jeremy Slowinski, Elbert Rackow

Others present: Transit Manager; Susan Lemke

The meeting was called to order at 5:34 p.m. by Chairperson Nichole Lysne.

1. Welcome Karalyn Peterson to Transportation Commission.

The Transportation Commission welcomed Karalyn Peterson to the Commission.

2. Approval of the April 10, 2014 Transportation Commission minutes.

Ald. Mary Stroik moved to approve the minutes of the April 10, 2014 Transportation Commission meeting. Nichole Lysne seconded. Ayes all; Nays none; Motion carried.

3. March 2014 claims/ financial report.

Fred Hopfensperger moved to approve the March 2014 claims/financial report. Ald. Mary Stroik seconded. Ayes all; Nays none; Motion carried.

4. April 2014 claims/financial report.

Ald. Mary Stroik moved to approve the April 2014 claims/financial report. Fred Hopfensperger seconded. Ayes all; Nays none; Motion carried.

5. Proposed route changes.

Whiting/West Route

Outbound- front door service to Save-A-Lot and MILC (Midstate Independent Living Consultants)

Inbound- provide a transfer opportunity at Church and Rice St. /Travel Church Street to Park, resume old route at Park and Water.

Rice/Dixon-

Outbound – eliminate the Arlington/Elk/Brawley loop (the ADRC will be served with Whiting/West route.)

Inbound- Stanley to Reserve to Main

(Reason for changes: effort to save time on the route to enable the Bus Operators to complete the route within time allotted, numerous Bus Operators have expressed concern regarding difficulties in maintaining time schedule with the current route.)

North Point

Outbound – Prentice to Maria, cross Division at controlled intersection, provide front door service to K-Mart, cross Division at Academy, go through Trigs, Prentice to North Point. (Decision was made to use traffic lights when crossing Division; in addition the new route will resolve issues for the Bus Operators in the K-Mart parking lot, caused by students parking in the lot during the winter months.)

Eastside/Crossroads

Outbound- Indiana to Jordan to Wilshire (Washington School groups can now be picked up on the same side of the street.)

Provide front door service, upon request, at HH and Hoover/Ministry Medical (many requests for front door service vs. crossing Hoover from current bus stop location).

Campus Shopping

Travel HH - Hoover – Patch-Michigan back to campus.

Add to route: Isadore, to K-Mart, Academy to Trigs and Prentice south to get back on the original route which will go to the downtown area. (Expanded route will offer additional opportunities for riders.)

Ald. Mary Stroik moved to approve the proposed route changes. Karalyn Peterson seconded. Ayes all; Nays none; Motion carried.

6. Manager's report.

Staff Update: One Bus Operator vacancy remains open. Staff will be interviewing applicants next week.

Update on Whiting Service Agreement: Manager Lemke has prepared a draft agreement which will be reviewed by the City Attorney.

Fred Hopfensperger made a motion to approve the Manager's report and place it on file. Ald. Mary Stroik seconded. Ayes all; Nays none; Motion carried.

7. Next meeting date.

June 26, 2014 – 5:30 p.m.

8. Adjournment.

The meeting was adjourned at 6:30 p.m.

**COMPTROLLER-TREASURER REPORT
for the period ending April 30, 2014**

	Bal April 1, 2014	Receipts	Disbursements	Bal April 30, 2014
GENERAL OPERATING CASH	\$6,751,613.44	\$5,655,581.29	\$2,945,472.43	\$9,461,722.30
WATER & SEWER (CASH & INVEST) (includes airport, transit , stormwater)	\$12,281,500.71	\$2,515,845.52	\$3,123,712.53	\$11,673,633.70
	Bal April 1, 2014	TRANSFER IN	TRANSFER OUT	Bal April 30, 2014
INVESTMENTS				
GENERAL	\$20,514,866.42	\$347,634.15	\$0.00	\$20,862,500.57
SPECIAL REVENUE	\$576,858.23	\$0.00	\$0.00	\$576,858.23
DEBT SERVICE	\$7,412.38	\$1.83	\$0.00	\$7,414.21
CAPITAL PROJECTS	\$10,611,262.03	\$1,353.99	\$0.00	\$10,612,616.02
ENTERPRISE	\$184,092.07	\$38.42	\$0.00	\$184,130.49
TRUST	\$213,751.81	<u>\$18,570.00</u>	<u>\$4,000.00</u>	\$228,321.81
TOTALS	<u>\$32,108,242.94</u>	<u>\$367,598.39</u>	<u>\$4,000.00</u>	<u>\$32,471,841.33</u>

EXPENDITURES:	BUDGET	YTD	%	REVENUES	BUDGET	YTD	%
GENERAL GOVT	\$3,297,058.00	\$1,222,606.69	37.08%	GENERAL	\$21,637,033.00	\$13,936,506.78	64.41%
POLICE	\$5,015,554.00	\$1,575,041.13	31.40%				
FIRE	\$4,741,710.00	\$1,574,199.72	33.20%				
PUBLIC WORKS	\$5,738,205.00	\$1,800,925.33	31.38%				
PARK & REC	\$1,999,709.00	\$583,961.54	29.20%				
CAPITAL PROJECTS	\$649,674.00	\$133,560.53	20.56%				
DEBT SERVICE	\$5,310,624.00	\$2,872,513.59	54.09%				
YTD TARGET	33.33%						