

**City of Stevens Point
REGULAR COUNCIL MEETING**

**Council Chambers
County-City Building
1516 Church St**

**August 18, 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 July 21, 2014 and the Special Common Council meeting of August 4, 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.

Consideration and Possible Action on the Following:

6. Minutes and actions of the Plan Commission meeting of August 4, 2014.
7. Public Hearing – Conditional Use Permit – Request from Mary A. Dulske, representing Big Todd's Rumble Inn – 1109 Park Street / 2300 Strongs Avenue – to temporarily extend the premise.
8. Resolution on the above.
9. Public Hearing – Request from the University of Wisconsin-Stevens Point 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 "UWSP" for all of the following properties:
 - 1700 Portage Street (Parcel ID 2408-32-1001-12)
 - 1708 Portage Street (Parcel ID 2408-32-1001-13)
 - 1716 Portage Street (Parcel ID 2408-32-1001-14)
 - 1724 Portage Street (Parcel ID 2408-32-1001-15)
 - 1730 Portage Street (Parcel ID 2408-32-1001-16)
 - Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)
10. Ordinance Amendment on the above.

11. Public Hearing – Request from the University of Wisconsin-Stevens Point to rezone six properties below from R-3 Single and Two Family Residence District to U-1 University Facilities District.
 - 1700 Portage Street (Parcel ID 2408-32-1001-12)
 - 1708 Portage Street (Parcel ID 2408-32-1001-13)
 - 1716 Portage Street (Parcel ID 2408-32-1001-14)
 - 1724 Portage Street (Parcel ID 2408-32-1001-15)
 - 1730 Portage Street (Parcel ID 2408-32-1001-16)
 - Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)
12. Ordinance Amendment on the above.
13. Public Hearing – Amend the Zoning Code to allow the Administrator to approve modifications to the parking and loading standards under certain circumstances (Section 23.01(14) and Section 23.01(15) of the RMC).
14. Ordinance Amendment on the above.
15. Public Hearing – Amend the Zoning Code to permit reduced setbacks for wireless communication towers (Section 23.02(4)(d) of the RMC).
16. Ordinance Amendment on the above.
17. Public Hearing – Conditional Use Permit – Request from Paradise Solutions, representing Consolidated Water Power Company – to install a wireless communication tower along the Wisconsin River, directly west and adjacent to 707 Arlington Place (Parcel ID 2408-32-3002-55), and described as Outlot 1 on Certified Survey Map 9511-40-141.
18. Resolution on the above.
19. Minutes and actions of the Board of Public Works meeting of August 11, 2014 and the actions taken at the Special Board of Public Works meeting of August 18, 2014.
20. Minutes and actions of the Public Protection Committee meeting of August 11, 2014.
21. Minutes and actions of the Personnel Committee meeting of August 11, 2014.
22. Resolution – Inclusion Under the State Of Wisconsin Deferred Compensation Program.

23. Minutes and actions of the Finance Committee meeting of August 11, 2014 and the actions taken at the Special Finance Committee meeting of August 18, 2014.
24. Developer's Agreement – SkyGroup, LLC.
25. Minutes and actions of the Board of Water and Sewerage Commissioners meeting of August 11, 2014.
26. Minutes and actions of the Police and Fire Commission meeting of August 5, and the special Police and Fire Commission meetings of July 22, 29, 31 and August 7, 2014.
27. Minutes and actions of the Transportation Commission meeting of July 23, 2014.
28. Statutory Monthly Financial Report of the Comptroller-Treasurer.
29. Mayoral Appointments:
 - Smongeski Health Fund
 - Reappoint Marge Molski, 800 St. Paul St
 - Reappoint Bill Zimdars, 3924 Doolittle Dr. Apt. 6
 - Redevelopment Authority
 - Appoint Ald. Michael Phillips, 3225 Mary Street
 - Housing Authority
 - Appoint Larry Schroda, 1300 Briggs Street
30. 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 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

July 21, 2014
7:00 P.M.

Mayor Andrew J. Halverson, presiding.

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

Also Present: City Atty. Beveridge, Clerk More, C/T Ladick, Directors Ostrowski, Schatschneider, J. Lemke, Police Chief Ruder, Fire Chief Finn, Kelly Pasdernik, Mayoral Assistant, Lisa Jakuz, Human Resource Manager, Steve Shepro, Assessor.

Mayor Halverson stated that without objection, given the amount of people who are here, he would like to move Agenda item #20 immediately after the non-agenda agenda items, which would be between items #5 and #6. There were no objections.

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

Mayor Halverson provided an update on the pay plan hearings and said that these will occur either the last week of July or the first week of August. The City Clerk will be surveying staff to determine a meeting date.

3. Consideration and possible action of the minutes of the Regular Common Council meeting of June 16, 2014 and the Special Common Council meeting of July 7, and July 15, 2014.

Ald. Slowinski moved. Ald. Moore seconded to accept the minutes.

Ald. Suomi said on page 4, the agenda items are out of line and should be placed between items #14 and #15.

Ald. M. Stroik said item #41 her name is misspelled.

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

4. *Person's 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.

Mayor Halverson directed guests to register to speak by providing their name and address on the forms provided by Kelly Pazdernik.

5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.

Roger Hackler, 2025 Park Street, addressed the Council regarding the importance of the City of Stevens Point having separate services such as their own judges and police department. He also said that he would like to see more sports and recreational activities for adults.

Mayor Halverson said that Mr. Hackler's comments are very timely as there has been a newly established Municipal Court Clerk position for the City of Stevens Point.

Jim Grubba, 903 Walkush Road, addressed the Council and stated that he was a candidate for Portage County Sheriff. He provided a brief personal and work history that outlined his qualifications for the position of Portage County Sheriff.

Clerk Moe stated as a housekeeping reminder, please sign in, so all names are recorded for the official record.

Clerk Moe continued saying there is a partisan primary on August 12, 2014. In-person voting will open up on Monday, July 28, 2014, so people can vote early at the Clerk's office between the hours of 8 a.m. to 4 p.m. Absentee ballots can be mailed. As a reminder, he stated that if individuals have had name or address changes, they will be required to provide proof of residence. The list of documents used for proof of residence are listed on the website. This is a partisan primary necessitating voters choose their party and stay within that party. A copy of the ballot will be on the website for review. Questions can be directed to the City Clerk's office by calling 715-346-1569.

Consideration and Possible Action on the following:

20. Discussion and possible action on releasing a request for proposals for the sale and/or redevelopment of the Edgewater Manor property.

Dir. Ostrowski provided a summary of the Redevelopment Authority's actions as well as going over the financial projections.

Dir. Ostrowski stated at the July 8, 2014 meeting, several options were reviewed concerning Edgewater Manor and the potential renovations to include the facade, windows and other updates that would make the building more marketable; the possibility of releasing another RFP, providing tax credit options and ultimately the sale of the building. He stated that the façade issue adds approximately \$70,000 to \$80,000 annually for the debt service payment. Borrowing would be approximately \$3.2 million at 3.5% over 20 years, which would be just over \$220,000.00 for an annual debt service payment. Repayment

would be difficult based on the revenue that will be received from the units in Edgewater. In 2014, there is about a 35% vacancy rate. Occupancy has been consistent even with switching management companies. Vacancy projections for 2015-2016 estimates were decreased by 5% increments.

Ald. Wiza asked about the façade that was falling off due to water damage. He stated that rumors are circulating that the façade may not need to be repaired as extensively as originally indicated. He specifically asked if there was anything in writing from the contractors who did the work stating the extent of the damage and the need to repair this issue as well as any other improvements

Dir. Ostrowski stated that W.J. Higgins, an engineering firm, looked at Edgewater last year and this year. They were the ones who recommended the temporary solution to fasten the façade to the structural frame which would allow for a one to two year "fix". After that time, the façade would need to be replaced. Replacing the façade would likely mean replacing windows and insulation. In 20 of the holes drilled through the façade, the woodwork and into the structural framing, the contractor stated water poured out. The temporary fix also included sealing some of the openings around the windows to try to prolong this temporary solution for as long as possible.

Ald. Moore asked if a second opinion from a different contractor has been received for any of this work.

Dir. Ostrowski stated that the Director of the State of Wisconsin Masonry Institute looked at the report and concurred this was one of the worst that he has seen. This individual did not physically inspect the building. The City could have him do that but another fee would be incurred. Based off of his initial reaction to the report, Dir. Ostrowski was comfortable with that.

Ald. Moore asked what exactly the RFP would be for.

Dir. Ostrowski stated that the RFP was for any and all possibilities for the property. This included a purchase, keep it the same, tear it down and build new, change some of the housing options (not just senior housing), to open it up to get the highest investment for that piece of property.

Ald. Trezbiatowski asked if there was any plan being discussed regarding the remodeling of the interior, such as toilets, tubs, sinks, etc.

Dir. Ostrowski stated not everyone feels an interior remodel is necessary. However, with a 35% vacancy, this property cannot continue to be managed and expect to be profitable into the future when an issue such as the façade needs to be resolved.

Ald. O'Meara asked Dir. Ostrowski if he was convinced that this was a worst case scenario.

Dir. Ostrowski stated this was not a worst case scenario. There are bound to be surprises in any renovation project. He said he felt the numbers were accurate.

Patricia Harry, Edgewater, questioned the intent of putting the residents of Edgewater out of their homes.

Lori Giese, Edgewater, stated that this is a very pleasant place, and the people are really nice. The interior units are well kept and it suits her needs. Lori read a letter submitted by Lorraine Kramer, an elderly resident of Edgewater Manor. She stated that Lorraine is 95 years old and has lived at Edgewater for the past 8 years. In her letter, Ms. Kramer stated that it helps a lot to be near what elderly citizens need and she does not know what she will do if her rent goes up. She added that she really likes living at Edgewater.

Ald. Wiza asked why Ms. Giese chose Edgewater.

Ms. Giese stated she grew up in the area. Due to personal health issues, she chose Edgewater because she has family in the area, the friendly staff and it was clean, affordable in this phase of her life. She stated she felt respected by the staff.

Henry Korger, 3200 Water Street, #2, 88-years-old, does not understand why this is being discussed again. The Alderpersons voted unanimously to let the people live in the high rise. Residents are going through a lot of misery not knowing if they are going to be kicked out. That is not nice to do to elderly people. This apartment complex is one of the nicest in the City of Stevens Point. It is centralized and on the water. He stated repairs can be made to leaky pipes, new flooring, etc., to reduce vacancy rate.

Barb Jacob, 1616 Depot Street, stated she is disappointed that we are here again. There is uncertainty among the residents in not knowing if they will have a place to live in the future. She asked if every unit needed to be redone for \$13,000.00. What is absolutely necessary and is it worth it. She questioned if there were other options besides the brick façade, is there something that can be done cheaper.

Mary Ann Laszewski, 1209 Wisconsin Street, suggested postponing a decision on Edgewater until after the mayoral election in April to see how the new mayor will pursue this matter. This would allow appropriate time to evaluate Candlewood's performance and decide if different management and advertising is needed.

Sadie Behm, Edgewater, a 12-year resident, questioned why the residents were not notified of this meeting. She stated the walls and ceilings are in mint condition. Candlewood is doing a good job and they are not being given a chance to prove themselves. She requested that a decision on Edgewater be postponed and let the next mayor deal with this.

Victor Dechant, 1450 Water Street, stated, "stand up and do the right thing." The

actions taken today will affect people 10 to 15 years from now.

Fred Shulz, stated the City is worried about spending \$1 or \$2 million when Wausau just remodeled the same size building for \$11 million and all those residents are happy.

Mary Meyer, 1450 Water Street, #302, stated she loves it at Edgewater. She rides her bike along the path which is right outside the building and she can observe the ducks, geese and sunsets. She stated one reason she chose Edgewater was the availability of the ARDC across the street. She stated this matter is of the utmost importance to her.

Ald. Patton asked what happened to the rent money from the building.

Dir. Ostrowski stated rent goes toward the operating and maintenance costs of the facility. Candlewood takes a 7% fee for rents collected as well as costs for maintenance based on an hourly rate. Heating, electricity and cable are at a discounted rate, but the City still pays for a good chunk of that. There are savings every month. There is a net positive now because there is no debt service payment. The concern now is having another debt service payment will push the City back into the red.

Mayor Halverson stated over the years, the city has provided significant subsidies to its' own detriment and loss of opportunities in other areas. He stated that the City has invested hundreds and hundreds of thousands of dollars subsidizing the rent the tenants pay in the building that is home for many. It has not been subsidized via tax dollars. With the shortage of revenue to subsidize this facility, the taxpayers of Portage County will be obligated to cover the short fall.

Mayor Halverson stated that there is no debt currently and there is just enough revenue to cover the fixed costs of the building. As the building ages and continues to need more investment and it is not corrected, the vacancy rate will not improve and risk the potential of falling back into the red.

Mayor Halverson said if this property were privately held, a landlord would make a simple decision: what does the cost benefit analysis look like – rents versus capital investment/improvements required to market the complex. The end result would be to sell the property if the capital investment outweighs the profitability.

Mayor Halverson stated the Redevelopment Authority made an appropriate decision to review all aspects of potential opportunity for that property. The RFPs need to be released to garner as much information both pro and con in order to make an intelligent decision on what direction to follow concerning this property.

Ald. R. Stroik stated he was surprised to see this on the agenda again.

Ald. R. Stroik moved, Ald. Trezbiatowski seconded, to maintain ownership of the

Edgewater Manor as was stated 6 months ago.

Ald. Moore stated there is nothing to indicate everything needs to be done immediately. He stated this is over blown, it is excessive. If the siding needs to be fixed, put the appropriate monies into it. If brick siding cannot be afforded, find alternatives, it is not that difficult.

Ald. Wiza stated he would like as much information gathered to make an informed decision. He stated he would like to see a priority list of the repairs/remodel in the order that they can be done and furthermore, potential proposals for the sale and/or redevelopment of that property should not be excluded. He stated that drafting the RFP should move forward; it will not hurt anything to consider options.

Ald. O'Meara stated he thinks this is worthwhile. If good improvements are made, there will be waiting lists and good occupancy.

Dir. Ostrowski said the concern now is the façade and the windows, which are going to cost about \$80,000 at 1.2 million over 20 years at 3.5%, that is the debt service payment. That will place this project in the red without doing anything else at 35% vacancy rate. The other improvements will make the building more marketable and decrease the vacancy rate. These are the numbers to make the facility marketable and the variation of what projects are prioritized.

Mayor Halverson stated that the motion before the Council currently is to not support the release of the RFP.

Roll Call: Ayes: Moore, R. Stroik, Trezbiatowski.

Nays: Phillips, Patton, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Doxtator. Motion failed.

Ald. Suomi **moved**, Ald. Phillips seconded, the motion to have the City move forward to release the request for proposals for the sale and/or redevelopment of Edgewater Manor.

Ald. Slowski stated all options need to be put on the table. The RFP does not cost anything, he would support the motion.

Ald. Wiza said this was a broad request for proposals and asked how the request will be worded.

Dir. Ostrowski said it is no different than any other redevelopment RFP.

Ald. Wiza asked if the RFP would prohibit an individual or a group from submitting more than one response.

Mayor Halverson stated that a developer could have 3 separate responses.

Ald. Wiza stated he wanted all options on the table.

Ald. Wiza **amended** , Ald. O'Meara seconded, to exclude demolition of Edgewater.

Ald. Slowinski said he would like to see every option on the table.

Roll Call: Ayes: O'Meara, Wiza, M. Stroik, Trzebiatowski, Moore.

Nays: Doxtator, Suomi, Slowinski, Patton, R. Stroik, Phillips.

Amendment failed.

Ald. R. Stroik stated for clarification that proposals would be put before the council and voted upon at that time.

Ald. Patton questioned what would happen if something affected the voucher system and how that would affect the income in the building.

Dir. Ostrowski stated that about half of the residents are on vouchers. If the voucher system went away, it would be very challenging for individuals to recoup and try to pay the rent.

Mayor Halverson stated HUD monies/subsidies are evaporating rapidly.

Ald. Moore asked if the RFP will accept proposals to just repair the building.

Mayor Halverson replied no. The RFP is going to be for the sale/redevelopment of Edgewater.

Ald. R. Stroik asked what the timeline would be and if this could be done and completed in 60 days.

Dir. Ostrowski stated that it would be approximately 90 days from today.

Ald. Suomi would not support an amendment of a 90 day timeline.

Ald. R. Stroik **moved** , Ald. Slowinski seconded, to amend the motion to have the responses from the RFP back within 90 days.

Roll Call: Ayes: Majority.

Nays: Minority. Amendment adopted

Roll Call vote on the original motion:

Ayes: Moore, Phillips, Patton, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Doxtator.

Nays: R. Stroik. Motion carried.

6. Minutes and actions of the Plan Commission meeting of July 7, 2014.

Ald. Moore **moved**, Ald. O'Meara seconded, to approve the minutes of the Plan Commission of July 7, 2014.

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

7. Public Hearing – Conditional Use Permit – 1709 Main Street – Construct a garage using the “R-TND” Traditional Neighborhood Development Overlay District minimum setback requirements.

Mayor Halverson declared the public hearing open.

Joan _____ said she was concerned the survey map was not measured accurately and depicts very little green space. She is opposed to the project.

Armin Nebel, 1100 Phillips Street, stated his concern is many single family homes in the area have been converted to rental properties and upkeep has been less than stellar. He stated that the size of the garage would make the backyard miniscule and less desirable to attract a family to purchase and is strongly opposed to this project.

Mike Yokers, 1421 Pine Oak Court, owner of the property, said he will not be keeping the property as a rental, it will be sold for a single family home once the renovations have been completed and the garage built.

Cathy Dugan, 615 Summers, stated her concern is the lack of green space and too much pavement and impervious surface.

Roger Hackler, 2025 Park Street, stated he agreed with the statement made earlier about green space.

Mayor Halverson declared the public hearing closed.

8. Resolutions on the above.

City Attorney Beveridge stated the Council is acting in a quasi-judicial manner and if there is a motion to deny the conditional use, that it specifically reference one or more of the standards and explain why it does not meet the standard. In case the City is challenged, those justifications are on record.

Ald. R. Stroik stated that the owner has made his intention known to sell the property as a single family dwelling when the renovation is completed. He asked if that can be made a condition of the approval.

Mayor Halverson stated that if an attempt is made to place a condition that is forcing the specific use of a property, that is a condition that would exceed the authority of the Common Council.

City Attorney Beveridge stated he could not comment conclusively on this question.

Ald. O'Meara stated the size proposed for this garage is 20 by 22, which is a 2-car garage.

Ald. O'Meara **moved**, Ald. Moore seconded, to approve the request to construct a garage.

Roll Call: Ayes: Doxtator, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: Suomi. Resolution is adopted.

9. Public Hearing – Amend the Zoning Code to adopt a newly formatted Traditional Neighborhood Overlay Map; no change to the boundary (Section 23.02(1)(h) of the RMC).

Mayor Halverson declared the public hearing open.

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

10. Ordinance Amendment on the above.

Ald. O'Meara **moved**, Ald. Slowinski seconded, to adopt the amended zoning code to adopt a newly formatted Traditional Neighborhood Overlay Map; no change to the boundary.

Roll Call: Ayes: Moore, Phillips, R. Stroik, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Doxtator.
Nays: None. Ordinance amendment is adopted.

11. Minutes and actions of the Finance Committee meeting of July 14, 2014 and the minutes of the Special Finance Committee meeting of July 7, 2014.

Ald. Patton **moved**, Ald. Phillips seconded, to approve the Finance Committee Minutes of July 14, 2014 and July 7, 2014.

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

12. Minutes and actions of the Board of Public Works meeting of July 14, 2014.

Mayor Halverson stated the item to discuss is the timing requirement of the response for the RFP related to parking. He stated that Dir. Ostrowski is very concerned about the timeframe for that and would like the RFP response in 60 days rather than 30 days.

Ald. O'Meara **moved**, Ald. Doxtator seconded, to approve the Board of Public Works meeting of July 14, 2014 and raise the response time to the RFP from 30 days to 60 days.

Ald. Moore said he had several questions regarding the need for a parking study. He said the University had just completed one not long ago and he wanted to know if this was included as well as how much it will cost.

Mayor Halverson replied that part of the RFP process will contain the cost of the parking study. The core of the study will be the change in dynamics specifically from a city street perspective. The UW study was not complete.

Dir. Ostrowski stated the RFP is two fold. It will look at how parking is currently regulated and how it might be regulated more efficiently in the future. In terms of cost, it depends on how broad the proposal goes.

Mayor Halverson stated that consideration needs to be given to the amount of revenue that would be generated through this.

Chief Ruder stated that his department went from 1 parking enforcement officer to 3 part-time officers, which increased the number of citations, raising revenue by approximately 60%. This will bring out more consistent enforcement. A benefit from the kiosk, which has an application feature for smart phones to renew the meter, would be a service to citizens.

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

13. Minutes and actions of the Public Protection Committee meeting of July 14, 2014.

Carolyn Faust, 1301 6th Avenue #9, stated she attended last week's meeting and was unclear if she was granted her bartending license.

Mayor Halverson said that as it currently stands, the license will not be renewed, unless given her arguments, the Common Council agrees to review it.

Ms. Faust stated this is her first and will be her only offense and is working extremely hard to get off probation early. She stated that she takes full responsibility for her actions and she is at fault.

Ald. Trzebiatowski asked Chief Ruder if the violations Ms. Faust had were felonies or misdemeanors. Chief Ruder stated they were misdemeanors.

Mayor Halverson spoke to the character of Ms. Faust.

Chief Ruder stated that Ms. Faust can still bartend as long as there is a licensed bartender on the premises.

Ald. Wiza stated he would abstain from the vote.

Ald. Moore stated he would abstain from the vote.

Ald. Slowinski stated he appreciated the effort she is making to improve and learn from mistakes, but there are consequences for actions.

Ald. Slowinski **moved** Ald. M. Stroik seconded to approve the minutes of the Public Protection meeting of July 14, 2014.

Roll Call: Ayes: Majority.
Nays: None. Motion carries.

14. Ordinance Amendment – Peace and Offenses – Amend Municipal Court Cash Deposit Process (Sect. 24.27(2) and Exhibit A of Sect. 24.27 of the RMC).

Ald. Wiza **moved**, Ald. Moore seconded, to approve the ordinance amendment.

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

15. Minutes and actions of the Personnel Committee meeting of July 14, 2014.

Ald. Phillips **moved**, Ald. Doxtator seconded to approve the minutes and Actions of the Personnel Committee meeting of July 24, 2014.

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

16. Minutes and actions of the Board of Water and Sewerage Commissioners meeting of July 14, 2014.

Ald. Patton **moved**, Ald. Slowinski seconded, to approve the Board of Water and Sewerage Commission meeting of July 14, 2014.

Ald. Doxtator stated he had a question concerning the Highland property. Dir. Lemke stated that there was a request to split the cost between the two parties, \$75,000 each.

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

17. Minutes and actions of the Police and Fire Commission meetings of July 1, 2014.

Ald. Patton **moved**, seconded by Ald. Doxtator to approve the minutes and actions of the Police and Fire Commission meeting of July 1, 2014.

Ald. Suomi asked for clarification concerning the Chief recruitment process and the minimum requirements for the position.

Mayor Halverson stated the only residency requirement currently is 15 miles from the city limits.

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

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

Ald. Slowinski **moved**, Ald. O'Meara seconded, to approve the monthly Financial Report of the Comptroller-Treasurer.

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

19. Mayoral Appointment:

**Portage County Public Transportation Coordinating Committee -
Karalyn Peterson, 5540 Glenwood Avenue.**

Ald. Patton **moved**, Ald. O'Meara seconded, to approve the appointment of Karalyn Peterson to the Portage County Public Transportation Coordinating Committee.

Ald. Wiza said he would vote against this nomination, citing he was not familiar with the individual and her qualifications.

Mayor Halverson stated she is a current member of the Transportation Commission.

Ald. Phillips said that he will vote against any appointment to Portage County Transportation Committee.

Mayor Halverson stated that the mission of this appointment is to bring the two committees together to work seamlessly on projects.

Ald. Slowinski stated if there are ways to incorporate both services, there would be cost savings.

Roll Call: Ayes: Majority.
Nays: Minority. The motion carried.

21. 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 following:

- a. Negotiating the lease/rental of the Portage County Public Library Building, 1001 Main Street, with Portage County, and
- b. Negotiating the terms of a development agreement with SkyGroup, LLC.

Ald. Moore moved, Ald. Phillips seconded to adjourn into closed session.

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

Nays: None.

22. **Adjournment.**

The meeting was adjourned at 10:00 p.m.

**City of Stevens Point
SPECIAL COUNCIL MEETING**

Lincoln Center
1519 Water Street

August 4, 2014
7:00 P.M.

Mayor Andrew J. Halverson, presiding

Roll Call:

Present: Ald. , Suomi, O’Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, Phillips, Moore.

Excused: Ald. Doxtator, R. Stroik.

Also Present: Clerk John Moe, Corey Ladick, C/T; Dir. Michael Ostrowski, Community Development; Dir. Scott Schatschneider, Public Works; Dir. Joel Lemke, Water Department; Chief Bob Finn, SPFD; City Attorney Andrew Beveridge; Lisa Jakusz, HR; Scott Boyer, DPW; Lorna Whalen, SPFD; Susan Pagel, Treas. Office; Dawn Klish, Street Dept.; Rob Molski, Public Utilities; Jason Pliska, Public Utilities; Tom Carroll, Transit; James Wojcik, Street Dept.; David Worzalla, Street Dept.; Scott Halverson, Park Maint. Supv.; Roger Skrzeczkoski, Street Dept.; Larry Lee, WSAU; Brandi Makuski, SPCT; Nate Ewald, Portage County Gazette; Sari Lesk, Stevens Point Journal;

2. Establishing salaries and/or step placement for employees whose pay plan grade appears have been, or will be granted.

Mayor Halverson said this agenda item pertained to those individuals who were re-graded. The re-grading affected where the individual would be placed in the salary step. The result of this change provided 3 options: 1) put the individual into the step that would increase their salary as of 12/31/13, 2) simply freeze the salary (which is what the Mayor stated was done), 3) give the individual a step that provided an increase in the new grade.

Rather than have anyone harmed from a possible loss of salary, the individual(s) were kept at their current salary and moved to the new grade at the step that provided them an increase from the 12-31-13 salary.

Ald. Slowinski asked depending on where they fall within the step, an employee may not necessarily see a decrease at the beginning of the year, if we would freeze and not let them fall back.

Mayor Halverson stated there would be a small increase because they would progress from a place-holder step to the next step.

In the event that any appeals are granted and the grade that the individual progresses to actually causes a salary decrease, Mayor Halverson suggested redlining the individual at their currently salary so there is no harm per se based on the current salary. The progression would commence 1-1-15.

Ald. Slowinski moved, Ald. O'Meara seconded, to redline salaries to eliminate a decrease in salaries should a step increase cause this to occur.

Ald. O'Meara stated he wished to amend the motion to include moving a half of a step if the individual salary was frozen in order to avoid a decrease.

Mayor Halverson stated the amendment made by Ald. O'Meara would be out of order because it changes the entire intent of the motion.

Ald. O'Meara withdrew his second from Ald. Slowinski's motion. Not redlining or freezing salaries would cause an additional \$10,000 or more in addition to the \$28,000 that was originally adjusted for salaries.

Ald. Slowinski stated that the intent of his motion was to ensure that no one slid back, that they at least stay frozen at the current salary.

Ald. Patton seconded the motion by Ald. Slowinski.

Ald. Wiza stated he agreed with Ald. O'Meara in that those appeals that have already been approved should be advanced to the next step. He encouraged fellow Council members to vote against this motion. Ald. Wiza also stated that the Council did not have an option to vote on previous appeals.

Mayor Halverson stated that the executive action that occurred unilaterally without Council input had been discussed with the City Attorney to insure that individuals' salaries would stay the same.

Ald. Suomi added as part of the Personnel Committee, it was the intent to do what was in the best interest of the employees. She also questioned what the dollar impact would be of the redline effect.

Mayor Halverson stated that there would be no dollar impact, as those employees would stay at the salary that they were placed in for this budget year. There would be no financial impact from those individuals redlined.

Vote on the motion: Aye: Patton, Phillips, Slowinski, M. Stroik.
 Nay: Suomi, O'Meara, Trzebiatowski, Moore, Wiza.
 Motion failed.

Ald. O'Meara moved, Ald. Wiza seconded to progress those employees who would have been affected by a decrease in salary to the next level effective August 16, 2014.

Ald. Moore asked what this would do to the budget.

C/T Corey Ladick stated the City levy portion was \$14,806 and the utility levy was \$19,962 for a total of \$34,000 for the original impact of the appeals. The City levy impact would be \$6,300.00 and the utility impact would be \$5,300.00 for a total of \$11,600 on the anticipated change.

Ald. Wiza asked if this was available in the current budget.

C/T Ladick said yes, it is in the budget. The 2014 budget does not present an issue. The 2015 budget is currently in development.

Ald. Wiza stated that while this is not perfect, it is one step closer to making this whole.

Call for the vote: Aye: All.
 Nay: None. Motion carried.

3. Pay Plan Grade Placement Appeal Hearings:

Mayor Halverson stated that each person will have 5 minutes to address the Council as related to concerns about grade placement appeals and why they feel the denial was not correct.

Dawn Klish: Secretary II, Streets Department for the past 22 years. She is currently placed at a G2 position and seeks a progression to Grade H. Ms. Klish cited increased responsibilities with this position, specifically, supervision of 4 employees and completing the city portion of a DNR grant. She stated her position has changed into an office manager position and it warrants an upgrade.

Jason Pliska, Inspection Technician, Stevens Point Public Utilities is currently at H7 and would like reconsideration to I3. His responsibilities include budget and inspection of water, storm and sanitary utilities. He stated his position is comparable to other I3 positions, such as the Inspection Technicians in the Engineering Department and the GIS Technician.

Roger Skrzeczkoski, Welder-Fabricator/Mechanic distributed a handout to council members. He stated his mechanic work incorporates approximately 20% of his responsibilities, the remaining 80% spent as a welder/fabricator. Approximately 50% of his work as a welder-fabricator is for other departments (police, water, fire department, transit, etc.). Projects involve critical thinking and knowledge from conceptual design, design drafting, welding, assembly and follow-up. He said he is seeking progression from H6 to I3.

David Worzalla, DPW Level 2 (carpenter), seeks progression from G9 to H4. He said his position is comparable to Level 2 Parks Maintenance and Grounds. He

stated he has done a variety of duties including deconstruction, construction, electrical, flooring, plumbing, etc.

Susan Pagel, Account Clerk II, Treasurer's Office. Ms. Pagel stated her job responsibilities have been misclassified as the duties have expanded. This position requires a high aptitude for numbers and above average problem solving ability including manual calculations with multiple interruptions as well as providing backup to a salaried supervisor. Specifically she cited tax bill creation duties, which had been previously handled by the Data Processing Manager, whose position was eliminated in 2009. She is asking for reconsideration on this misclassification.

Rob Molski, Conveyance Systems Manager, stated as of January 2013, he has taken on supervisory administrative responsibilities for the Storm Water Utility as well as continuing as a Conveyance System Manager. He stated these new responsibilities include supervision, billing, complaints, federal applications and permit requirements; schedule/order all equipment and maintenance on equipment. He stated he is currently at Level L and has not seen any reclassification since assuming the new duties.

Tom Carroll, Operations Supervisor was seeking progression from Grade Level K to Level M, which would be equivalent to the Parks Facilities Supervisor. Currently there are 4 supervisors, 2 during the day which include handling incoming calls. Duties include supervising 20 mechanics and 3 supervisors, payroll, acting manager when required, discipline of employees and maintaining state and federal guidelines.

James Wojcik, DPW Level 3 (Painter), stated he has been with the city for 26.5 years and this pay plan would make him ineligible for a pay increase for another 10 years. He asked if this was fair to the employees.

Lorna Whalen, Administrative Assistant Fire, provided handouts to Council members and asked for reconsideration of her pay grade. She cited two positions lost due to reorganization of the department and the addition of those responsibilities. She cited personnel and budget management as well as completion of federal and state reports. She said that in January she received a pay increase of 0.29% and with the new plan, she will not be scheduled for pay increase until 2016.

Scott Boyer, DPW Level 3 (Painter), has 28 years total with the City 25 of those years in his current department. He stated he will retire without a pay increase. He stated he was disappointed that he received no responses to the email that was sent to Council members in February.

Mayor Halverson stated the Council will go back to discussion and vote on the individual appeals.

Ald. Suomi asked if the City pays for employee training or certifications.

Mayor Halverson stated that if the training is required for the job, the City provides that training either internally or externally.

Ald. Suomi said it appeared that many of the positions have taken on new responsibilities and everyone is doing more.

Mayor Halverson stated the discussion is not whether it is felt employees work hard or find efficiencies. It is specifically about the job that they fulfill for the City. It is not about coming in early, staying later or longevity. Specifically, looking at the exact role, scope and the technical knowledge required for the position. Consideration is to be what specifically is in the grade above the current position that is requested for consideration.

Ald. Moore asked if the goal was to move these individuals into a correct grade, the first level of that grade or specific requests.

Mayor Halverson stated the task before the Council is to review the appeal, either grant or deny the appeal based on what was provided, and if granted, the employee would then automatically go into the step that provides an increase from the 12-31-13 salary.

Ald. Wiza stated that these decisions are based on amount and type of duties that are required of the position.

Ald. Moore stated that everyone currently on this matrix currently is able to receive a cost of living adjustment no matter what step or grade they are at, as long as it is within the purview of the council.

Mayor Halverson replied yes that is the case and must be prioritized early within the budget process.

Ald. Moore questioned again if all were eligible for the cost of living adjustment.

Mayor Halverson replied yes, that would be up to the Council.

Ald. Suomi acknowledged Joel Lemke and Scott Schatschneider for reaching out to the Council to assist with explanations.

Dawn Klish, Secretary II, Street Department.

Ald. Slowinski **moved**, Ald. Phillips seconded to deny the request.

Vote on motion: Aye: All.

Nays: None. Motion carried.

Jason Pliska , Inspection Technician, Public Utilities/Transportation.

Ald. O'Meara stated that Mr. Pliska's work is underground and that means that the consequences are much higher if someone is doing GIS.

Ald. O'Meara moved, Ald. Trzebiatowski seconded, to grant this request.

Ald. Trzebiatowski asked if this was from Grade H to I.

Ald. Phillips requested input from the Director.

Director Lemke discussed the similarities and differences between the Inspection Technician position held by Mr. Pliska versus the inspection GIS position held by Mr. Southworth. He stated all of the buried utilities are inspected by this position. These are then subjected to record keeping/assessment management.

Mayor Halverson asked if the grade being the same for the Inspection GIS position and Mr. Pliska are appropriate based on job duties and responsibilities.

Director Lemke stated that yes it is accurately represented.

Vote on the motion: Aye: Majority
Nays: None. Motion carried.

Roger Szkreczkoski, Welder-Fabricator/Mechanic.

Ald. Wiza said this position includes both engineering and design work.

Ald. Wiza moved, Ald. Moore seconded to approve the step increase from H to I.

Mayor Halverson stated if this move is made, there will be an extreme problem with the other positions. The scenario needs to be what is required of the position day to day and suggested to deny the grade appeal. The job that Mr. Szkreczkoski performs is similar to the other mechanic positions.

Director Schatschneider is unsure if the other mechanics weld or fabricate.

Ald. Wiza asked if Mr. Skrzeczkoski would know if the other mechanics can weld and fabricate.

Mr. Skrzeczkoski replied the other personnel may be able to weld. He restated that 20% of his time is spent as a mechanic.

Ald. Trzebiatowski asked if Mr. Skrzeczkoski is more of a trouble-shooter for the department.

Director Schatschneider said that if something breaks, they take it to Roger and ask him how to fix it.

Ald. Moore said that it takes a lot of talent to design and fabricate.

Mayor Halverson said that Mr. Skrzeczkoski has handled several unique repairs to various City projects/items. The question remains if Mr. Skrzeczkoski has the same skill sets that drive the position compared to the engineering techs.

Director Schatschneider stated that no power struggle exists between the mechanics and the welder/fabricator.

Vote on the Motion: Ayes: Majority.
Nays: Minority. Motion carried.

David Worzalla, DPW Level 2 (Carpenter).

Ald. Slowinski **moved**, Ald. Suomi seconded, to approve the progression from Grade G to I.

Mayor Halverson stated that Mr. Worzalla's position requires him to integrate more with the Streets Department and up to 60% of his work would be in a laborer capacity.

Ald. Trzebiatowski asked if Mr. Worzalla's electrical experience was single or triple phase.

Dir. Schatschneider replied it was single phase.

Mayor Halverson stated that the motion before the Council was I.

Ald. Slowinski withdrew his original motion.

Ald. Slowinski **moved**, Ald. O'Meara seconded to approve the progression from Grade G to Grade H.

Ald. Slowinski stated that he does feel that the position warranted a grade increase as the position requires more than the general laborer position.

Vote on the motion: Ayes: Majority.
Nays: Minority. Motion carried.

Susan Pagel, Account Clerk II.

Ald. Moore **moved**, Ald. Wiza seconded to approve the progression from Grade G to Grade H.

Ald. Moore stated that this position has more responsibilities than a Secretary and requires a great deal of detail.

Vote on the motion: Ayes: All.
Nays: None. Motion carried.

Rob Molski, Conveyance Systems Manager.

Ald. O'Meara asked if there was a similar counterpart in the Water and Sewer Department.

Mayor Halverson stated that there was a big difference between the Water and Waste Water Superintendent related to technical knowledge as well as staff size.

Ald. O'Meara **moved**, Ald. Suomi seconded, to move from Grade L to M.

Mayor Halverson stated he felt this position was graded correctly.

Ald. Slowinski said the Transit Manager position is listed in Grade L and does not think that the position warrants the upgrade to M.

Vote on the motion: Ayes: Minority.
Nays: Majority. Motion failed.

Tom Carroll, Operations Supervisor.

Ald. Wiza **moved**, Ald. O'Meara seconded, to move the position from Grade K to Grade L.

Mayor Halverson stated he could not support this motion as there would be little difference between this position and the Assistant Streets Superintendent position, as well as other management personnel and the responsibilities associated with those positions.

Vote on the motion: Ayes: Minority.
Nays: Majority. Motion failed.

James Wojcik, DPW Level 3 (Painter).

Ald. Wiza stated first and foremost that the position is being evaluated, not the individual and feels the scope of the position is accurately reflected in the current grade.

Ald. Wiza **moved**, Ald. O'Meara seconded, to deny the requested grade increase.

Vote on the motion: Ayes: All.
Nays: None. Motion carried.

Lorna Whalen, Administrative Assistant Fire.

Ald. Wiza asked for clarification on the training aspect that Ms. Whalen provides.

Mayor Halverson asked for clarification on solely administering the departmental budget.

Chief Finn stated that the position does handle payroll and assists with the fire reports and training staff.

Mayor Halverson stated that this position is graded correctly with providing administrative support. There is a difference between a Secretary II and an Administrative Assistant position.

Ald. Suomi **moved**, Ald. M. Stroik seconded, to deny the grade appeal.

Vote on the motion: Ayes: Majority.
Nays: Minority. Motion carried.

Scott Boyer, DPW Level 3 (Painter).

Ald. Slowinski stated he struggled with the difference between Level 2 and 3 and the salary, as it would be difficult to attract new employees.

Director Schatschneider stated there are differences between DPW 2 and 3.

Lisa Jakusz stated that DPW 2 would include street sweepers and the DPW level 3 would include garbage collection. Mr. Wojcik's position is in Level 3 as well.

Ald. O'Meara **moved**, Ald. Slowinski seconded, to deny the appeal request.

Vote on the motion: Ayes: Majority.
Nays: Minority. Motion carried.

6. **Adjournment.**

Meeting was adjourned at 8:10 p.m.

REPORT OF CITY PLAN COMMISSION

August 4, 2014 – 5:00 PM
Lincoln Center – 1519 Water Street

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

(Excused: Commissioner Anna Haines and Commissioner Daniel Hoppe)

ALSO PRESENT: Community Development Director Michael Ostrowski, Economic Development Specialist Kyle Kearns, City Attorney Andrew Beveridge, Director Joel Lemke, Alderperson O'Meara, Alderperson Wiza, Alderperson Mary Stroik, Alderperson Trzebiatowski, Alderperson Phillips, Cindy Nebel, Armin Nebel, Lois Alfsen, George Alfsen, Brandi Makuski, Roxanne Johnson, Chris Brindley, Bill Rowe, George Acker, Jeff Marin, Mary Dulske, Greg Diemer, Barb Jacob, Joe Pogorzelski, Garrett Ryan, Justin Busa, and Tom Witt.

INDEX:

1. Report of the July 7, 2014 Plan Commission meeting.
2. Request from Mary A. Dulske, representing Big Todd's Rumble Inn, for a conditional use permit to temporarily extend the premise at **1109 Park Street / 2300 Strongs Avenue (Parcel ID 2408-32-4020-01)**.
3. Request from Daniel Ongna, representing Ongies Rental Properties LLC, for a constrained site exemption to reconstruct the parking lot at **428 Division Street (Parcel ID 2408-29-4010-29)**.
4. Request from the University of Wisconsin-Stevens Point 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 "UWSP" for all of the following properties:
 - 1700 Portage Street (Parcel ID 2408-32-1001-12)**
 - 1708 Portage Street (Parcel ID 2408-32-1001-13)**
 - 1716 Portage Street (Parcel ID 2408-32-1001-14)**
 - 1724 Portage Street (Parcel ID 2408-32-1001-15)**
 - 1730 Portage Street (Parcel ID 2408-32-1001-16)**
 - Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)**
5. Request from the University of Wisconsin-Stevens Point to rezone six properties below from R-3 Single and Two Family Residence District to U-1 University Facilities District.
 - 1700 Portage Street (Parcel ID 2408-32-1001-12)**
 - 1708 Portage Street (Parcel ID 2408-32-1001-13)**
 - 1716 Portage Street (Parcel ID 2408-32-1001-14)**
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 - Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)**
6. Request from the University of Wisconsin-Stevens Point for a site plan review to construct a 75-stall parking lot on multiple parcels located at the northwest corner of the intersection of Portage Street and Isadore Street (**Parcel IDs 2408-32-1001-12 through 2408-32-1001-17**).

7. Request from the Redevelopment Authority of the City of Stevens Point for a constrained site exemption to reconstruct a portion of the parking lot south of Shopko and northwest of the intersection of Church Street and Main Street (**Parcel ID 2408-32-2029-65**).
 8. Amending **Section 23.01(14) and Section 23.01(15)** of the Revised Municipal Code of the City of Stevens Point to allow the Administrator to approve modifications to the parking and loading standards under certain circumstances.
 9. Amending **Section 23.02(4)(d)** of the Revised Municipal Code of the City of Stevens Point to permit reduced setbacks for wireless communication towers.
 10. Request from Paradise Solutions, representing Consolidated Water Power Company, for a conditional use permit to install a wireless communication tower along the Wisconsin River, directly west and adjacent to **707 Arlington Place (Parcel ID 2408-32-3002-55), and described as Outlot 1 on Certified Survey Map 9511-40-141**.
 11. **Director's Update (informational purposes only)**
 12. Adjourn.
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1. Report of the July 7, 2014 Plan Commission meeting.

Motion by Alderperson Moore to approve the report of the July 7, 2014 meeting; seconded by Commissioner Cooper.

Motion carried 5-0.

2. Request from Mary A. Dulske, representing Big Todd's Rumble Inn, for a conditional use permit to temporarily extend the premise at **1109 Park Street / 2300 Strongs Avenue (Parcel ID 2408-32-4020-01)**.

Director Ostrowski explained this request is for an event scheduled for August 23, 2014 from 9:00 am to 11:00 pm. Furthermore, the premise extension will be fenced off in a 30' x 35' area. This item is before the commission due to this tavern use operating without a conditional use permit, as it was grandfathered. Staff recommends approval of this request with the conditions outlined in the staff report.

Motion by Commissioner Patton to approve the conditional use permit to temporarily extend the premise at 1109 Park Street / 2300 Strongs Avenue (Parcel ID 2408-32-4020-01) with the following conditions:

- **All alcohol must be consumed within the legally defined premise area. The event and all activities associated shall cease no later than 11:00 pm.**
- **Refuse receptacles used for the temporary event and other garbage or trash shall be removed no later than 48 hours after the event.**
- **The extension area shall be fenced.**
- **All events shall be monitored by Big Todd's Rumble Inn staff, along with parking.**
- **Staff shall have the ability to approve minor amendments, as well as similar events in the future that require a premise extension.**

seconded by Commissioner Curless. Motion carried 5-0.

3. Request from Daniel Ongna, representing Ongies Rental Properties LLC, for a constrained site exemption to reconstruct the parking lot at **428 Division Street (Parcel ID 2408-29-4010-29)**.

Director Ostrowski stated the owner is requesting to reconstruct a portion of the parking lot at 428 Division Street. The lot is currently joined with neighboring lots to the east and west, as the property is part of a retail strip complex. In addition, the asphalt exists up to the building, with no separation. The request is to replace the existing lot, with no setback from the north, south, and east property lines, as well as no setback from the building. Staff has little concern with the request, but recommends landscaping be installed on the western edge of the property off of Vincent Court, and that the three foot landscaping buffer along the north side of the building can be accomplished.

Motion by Alderperson Moore to approve the constrained site exemption to reconstruct the parking lot at 428 Division Street (Parcel ID 2408-29-4010-29) with the following conditions:

- **A five foot landscaped area meeting code requirements to the west, along Vincent Street, shall be installed. Staff shall have the ability to modify the planting requirements to prevent conflicts with the utilities in this location.**
- **A 3-foot building setback shall exist along the north side of the building consisting of a landscaped area, concrete walk, or other permitted material. The 3-foot setback may be waived for the west side of the building, as the area will be used for placement of the refuse containers, and/or drive aisles.**
- **Curbing, wheel stops, or an adequate alternative (as approved by the zoning administrator) must be installed for parking spaces that abut a landscaped area.**
- **Parking stalls shall be striped.**
- **The landscaping must have a water source within 100 feet, or be irrigated.**
- **Staff shall have the right to make minor modifications to the plan.**

seconded by Commissioner Patton. Motion carried 5-0.

4. Request from the University of Wisconsin-Stevens Point 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 "UWSP" for all of the following properties:
 - 1700 Portage Street (Parcel ID 2408-32-1001-12)
 - 1708 Portage Street (Parcel ID 2408-32-1001-13)
 - 1716 Portage Street (Parcel ID 2408-32-1001-14)
 - 1724 Portage Street (Parcel ID 2408-32-1001-15)
 - 1730 Portage Street (Parcel ID 2408-32-1001-16)
 - Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)

Director Ostrowski explained this item along with items 5 and 6 go together. Currently, all of the properties have a future land use designation as Residential. Four of the six properties are residential in use and have existing residential homes. The University of Wisconsin Stevens Point is looking to expand into this area for a parking lot in the interim until they can acquire the entire block. The university identified this area to develop as a parking lot or academic building within their master plan which was adopted by the Plan Commission and Common Council. Furthermore, Director Ostrowski said the request does meet the standards of review and would recommend changing the future land use map from residential to university.

Mayor Halverson asked if any on the commission was opposed to combining the discussion for agenda items 4, 5, and 6. None of the commission opposed.

Carl Rasmussen, University Director of Facilities Planning, explained the campus only acquires properties if the owners are willing to sell. During the master planning process, the campus is required to define their

boundaries, which indicate to the community where the campus intends to expand over time. When last updated and adopted by City Council in 2007, the master plan included acquiring the properties in question and established a university use on them. The proposed use for the site is a parking lot, which is strategically located to support the night time activities of the Fine Arts as well as the daytime activities of commuting students. The lot is intended to provide 75 spaces and would be hourly metered using a kiosk. The parking created will assist in replacing the parking stalls lost from Lot X when the Chemistry and Biology building is constructed. Mr. Rasmussen continued his presentation by explaining the stormwater drainage system, the lighting plan, the parking pay station, and the landscaping plan used for screening. Furthermore, he asked that the city give consideration to allow an exemption to the parking island requirement at the west end of the lot, due to the manifold and bio-swale system that is proposed to be used for drainage of stormwater as well as parking lot maintenance for snow removal.

Commissioner Curless asked if the houses at the location are currently rented, to which Mr. Rasmussen stated they are currently vacant and will remain vacant through the coming academic year.

Commissioner Cooper asked what affect the lighting would have on the properties across the street, and would the lot be used for overnight parking. Mr. Rasmussen explained the LED lighting which utilizes cut-off fixtures and does not obtrude onto adjacent properties. Additionally, he explained the area will be metered until 7:00 pm, and open for free parking until 2:00am.

Aldersperson Moore asked once approved, what is the project timeline for construction and completion. Mr. Rasmussen stated construction would begin in late spring to be ready for fall of 2015.

Commissioner Curless asked if the houses south of the lot were student rentals, to which Director Ostrowski stated they vary, but are residential in nature.

Cindy Nebel, 1100 Phillips Street, expressed her concerns regarding being notified for the public hearing and plan commission meeting, and stated the Old Main Neighborhood Association (OMNA) was not being included in any reporting. Furthermore, she stated the process is going to quickly, and the property should be used to create a buffer between residential uses and the university.

Lois Alfsen, 1817 Portage Street, stated his concern is for the increased traffic and speeds in the area and requests a traffic study to be completed prior to any development.

Jeff Marin, 2101 Main Street, pointed out that the lots currently in the area are shared for Fine Arts Center events as well as University Center events, which in turn stresses the neighborhood parking.

Armin Nebel, 1100 Phillips Street, expressed his concerns for security and monitoring of the lot after 7:00 pm, asked for a traffic study to be completed, and questioned future developments for the site.

Chris Brindley, University Buildings and Grounds Superintendent, pointed out the extensive landscaping to the lot and the good buffer and screening on Division Street. Mr. Brindley added his concern for the required island on the west side of the lot, citing the negative effects for maintenance when clearing snow.

Mayor Halverson stated the city needs to be sensitive to the neighborhoods but also the growth of the university. We have committed to working with the university in finding locations to help relocate parking, and maximizing the parking that currently exists. He does not see any direct conflicts with adjacent properties and supports the construction of the parking lot.

Director Ostrowski clarified that as the site is not considered constrained, all parking and landscaping requirements must be met, including the terminal island required on the west side of the lot. However, the applicant can submit an alternative parking plan created by a registered engineer in the State of Wisconsin illustrating that the standards do not apply to the specific development.

Motion by Mayor Halverson to approve the amendment to the Comprehensive Plan Future Land Use Map (Map 8.3) for the purposes of amending the future land use designation from residential to “UWSP” for the following properties:

- 1700 Portage Street (Parcel ID 2408-32-1001-12)
- 1708 Portage Street (Parcel ID 2408-32-1001-13)
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- Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)

seconded by Commissioner Curless. Motion carried 5-0

5. Request from the University of Wisconsin-Stevens Point to rezone six properties below from R-3 Single and Two Family Residence District to U-1 University Facilities District.

- 1700 Portage Street (Parcel ID 2408-32-1001-12)
- 1708 Portage Street (Parcel ID 2408-32-1001-13)
- 1716 Portage Street (Parcel ID 2408-32-1001-14)
- 1724 Portage Street (Parcel ID 2408-32-1001-15)
- 1730 Portage Street (Parcel ID 2408-32-1001-16)
- Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)

Motion by Mayor Halverson to approve of the rezoning from R-3 Single and Two Family Residence District to U-1 University Facilities District for the following properties:

- 1700 Portage Street (Parcel ID 2408-32-1001-12)
- 1708 Portage Street (Parcel ID 2408-32-1001-13)
- 1716 Portage Street (Parcel ID 2408-32-1001-14)
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- Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17)

seconded by Commissioner Curless. Motion carried 5-0

6. Request from the University of Wisconsin-Stevens Point for a site plan review to construct a 75-stall parking lot on multiple parcels located at the northwest corner of the intersection of Portage Street and Isadore Street (Parcel IDs 2408-32-1001-12 through 2408-32-1001-17).

Motion by Mayor Halverson to approve the site plan review request to construct a 75-stall parking lot on multiple parcels located at the northwest corner of the intersection of Portage Street and Isadore Street (Parcel IDs 2408-32-1001-12 through 2408-32-1001-17): with the following conditions:

- Signage shall be posted identifying proper vehicle direction and circulation on site.

- Interior parking stalls shall provide dimensional stall requirements for length and width per City ordinance.
- A terminal island shall be installed on the west end of the lot, per city ordinance requirements, unless an alternative plan is submitted and approved by staff.
- Stormwater and drainage shall be reviewed and approved by appropriate City staff and all requirements shall be met as per Chapter 31 of the Revised Municipal Code.
- Staff shall have the ability to approve minor modifications to the site plan.

seconded by Commissioner Curless. Motion carried 5-0.

7. Request from the Redevelopment Authority of the City of Stevens Point for a constrained site exemption to reconstruct a portion of the parking lot south of Shopko and northwest of the intersection of Church Street and Main Street (**Parcel ID 2408-32-2029-65**).

Director Ostrowski explained this request is before the commission due to project's two phase timeframe falling within the recent parking standard ordinance amendment. The western half was reconstructed in 2013, and the eastern half will be reconstructed this year. He continued stating most of the curbing will remain, but due to an existing agreement with Shopko that stipulates 437 stalls must be provided, many of the parking standards cannot be met. Parking lot setbacks are proposed to be reduced, and terminal islands and other landscaping standards cannot be met. Therefore, staff recommends that construction be allowed to commence, but that a landscape plan be brought back and approved by the end of this year and implemented in 2015.

Motion by Commissioner Patton to approve the constrained site exemption to reconstruct a portion of the parking lot south of Shopko and northwest of the intersection of Church Street and Main Street (Parcel ID 2408-32-2029-65); seconded by Commissioner Cooper. Motion carried 5-0.

8. Amending **Section 23.01(14)** and **Section 23.01(15)** of the Revised Municipal Code of the City of Stevens Point to allow the Administrator to approve modifications to the parking and loading standards under certain circumstances.

Director Ostrowski explained this amendment was discussed last month, as we have had a number of parking lot modification requests come before the commission that could more efficiently be approved by staff. For this reason, and due to the shorter construction period, staff is requesting the authority to approve parking and loading standard modifications as long as the exemption is meeting the clear standards provided, and the exemption is using the least aggressive modification.

Commissioner Patton asked if the requests would still need council approval, to which Director Ostrowski stated no, staff can approve them if they meet the conditions listed in the ordinance.

Mayor Halverson stated he is in support of the amendment which makes us more responsive to businesses.

Motion by Commissioner Cooper to approve the amendment of Section 23.01(14) and Section 23.01(15) of the Revised Municipal Code of the City of Stevens Point to allow the Administrator to approve modifications to the parking and loading standards under certain circumstances; seconded by Commissioner Patton. Motion carried 5-0.

9. Amending **Section 23.02(4)(d)** of the Revised Municipal Code of the City of Stevens Point to permit reduced setbacks for wireless communication towers.

Director Ostrowski explained currently our setbacks for communication towers are equal to the height of the tower. With the next agenda item there is no physical way the lot allows for setbacks requirements to be met. Therefore, staff is recommending an ordinance change to allow for setbacks to be reduced in certain instances. Furthermore, recent changes in state statutes are limiting regulations for municipalities regarding communication towers. The change in state law is going to provide us with limited flexibility in terms of regulating towers. Additional ordinance changes will likely occur in the near future.

Motion by Mayor Halverson to approve the amendment of Section 23.02(4)(d) of the Revised Municipal Code of the City of Stevens Point to permit reduced setbacks for wireless communication towers; seconded by Alderperson Moore. Motion carried 5-0

10. Request from Paradise Solutions, representing Consolidated Water Power Company, for a conditional use permit to install a wireless communication tower along the Wisconsin River, directly west and adjacent to **707 Arlington Place (Parcel ID 2408-32-3002-55), and described as Outlot 1 on Certified Survey Map 9511-40-141.**

Commissioner Patton asked when the tower was placed at Ben Franklin Jr. High how would that have been different with the new regulations. Director Ostrowski explained our ability to regulate is increasingly limited.

Commissioner Curless asked if a person was interested in putting up a windmill would municipal regulation be allowed, to which Director Ostrowski stated depending on location and size. For example, if it would not be able to be located in a back yard, a front yard may be permitted via state statutes.

Alderperson Moore asked if Consolidated would need DNR approval, to which Director Ostrowski stated that will be handled through the building permit process.

Motion by Alderperson Moore to approve the conditional use permit to install a wireless communication tower along the Wisconsin River, directly west and adjacent to 707 Arlington Place (Parcel ID 2408-32-3002-55), and described as Outlot 1 on Certified Survey Map 9511-40-141 with the following conditions:

- Any other pertinent requirements from the Federal Aviation Administration (FAA) shall be met.
- Any and all mechanical equipment located on the ground shall be completely concealed within a structure or box.
- A separate gated security fence shall surround the tower base and any mechanical equipment.

seconded by Commissioner Cooper. Motion carried 5-0.

11. **Director's Update (informational purposes only)**

Director Ostrowski stated the first of two public input sessions have occurred regarding the rezoning of the south side. There were six to seven people in attendance and the comments were favorable. After the second meeting, minutes will be presented to the Plan Commission.

There is a Comprehensive Plan meeting scheduled for August 13, 2014 at 6:00 PM in the Portage County Annex for the Plan Commission, Council members, and all interested parties.

Also, in previous meetings the municipal land between Illinois and Michigan Avenue was discussed regarding the potential for surveying and eventual donation to adjacent land owners. It has been estimated that survey work will take approximately 80 hours which may not be worth the cost to the city. Director Ostrowski then recommended allowing individual property owners to privately survey portions if they were interested in obtaining.

12. Adjourn.

Meeting Adjourned at 5:56 pm.

RESOLUTION

**[1109 PARK STREET / 2300 STRONGS AVENUE – TEMPORARY EXTENSION OF PREMISE]
[BIG TODD’S RUMBLE INN]**

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 **1109 Park Street / 2300 Strong’s Avenue (Parcel ID 2408-32-4020-01)**, described as ALL OF LOTS 551 552 553 & 554 BLK 65 STRONGS ADD 607578 617126, City of Stevens Point, Portage County, Wisconsin, hereby be granted a Conditional Use Permit for the purposes of temporarily extending the premise, with the following conditions:

1. All alcohol must be consumed within the legally defined premise area. The event and all activities associated shall cease no later than 11:00 PM.
2. Refuse receptacles used for the temporary event and other garbage or trash shall be removed no later than 48 hours after the event.
3. The extension area shall be fenced.
4. All events shall be monitored by Big Todd's Rumble Inn staff, along with parking.
5. Staff shall have the ability to approve minor amendments, as well as similar events in the future that require a premise extension.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: August 18, 2014
Adopted: August 18, 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 – UWSP PARKING LOT Y]

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 “UWSP” land use designation:

- 1700 Portage Street (Parcel ID 2408-32-1001-12)
- 1708 Portage Street (Parcel ID 2408-32-1001-13)
- 1716 Portage Street (Parcel ID 2408-32-1001-14)
- 1724 Portage Street (Parcel ID 2408-32-1001-15)
- 1730 Portage Street (Parcel ID 2408-32-1001-16)
- Unaddressed property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-16)

Map 8.3: Future Land Use Update



Property Map



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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: August 18, 2014
Adopted: August 18, 2014
Published: August 22, 2014

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

[REZONING - UWSP PARKING LOT Y]

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 properties from “R-3” Two-Family Residence District to “U-1” University Facilities District:

- 1700 Portage Street (Parcel ID 2408-32-1001-12), LOT 20 BLK 2 BOY & ATWELL 2ND ADD 660/674-CERT 737695, City of Stevens Point, Portage County, Wisconsin.
- 1708 Portage Street (Parcel ID 2408-32-1001-13), LOT 19 BLK 2 BOY & ATWELL 2ND ADD S32 T24 R8 791632, City of Stevens Point, Portage County, Wisconsin.
- 1716 Portage Street (Parcel ID 2408-32-1001-14), LOT 18 BLK 2 BOY & ATWELL 2ND ADD S32 T24 R8 739055, City of Stevens Point, Portage County, Wisconsin.
- 1724 Portage Street (Parcel ID 2408-32-1001-15), LOT 17 BLK 2 BOYINGTON & ATWELL 2ND ADD S32 T24 R8 667091-CERT 739054, City of Stevens Point, Portage County, Wisconsin.
- 1730 Portage Street (Parcel ID 2408-32-1001-16), LOT 16 BLK 2 BOY & ATWELL 2ND ADD BNG PRT NE NE S32 T24 R8 704710 704711-CERT, City of Stevens Point, Portage County, Wisconsin.
- Property on the northwest corner of the intersection of Portage Street and Isadore Street (Parcel ID 2408-32-1001-17), LOT 15 BLK 2 EXC E 30.5F FOR ST BOY & ATWELL 2ND ADD 266/72, City of Stevens Point, Portage County, Wisconsin.



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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: August 18, 2014
Adopted: August 18, 2014
Published: August 22, 2014

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

[ZONING CODE – OFF-STREET LOADING SPACES]

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

SECTION I: That Section 23.01(14), Parking Standards, and Section 23.01 (15), Off-Street Loading Spaces Required, of the Revised Municipal Code of the City of Stevens Point be amended to read as follows:

Section 23.01(14)

Parking Standards

a) Applicability

- 1) Unless specifically exempted in this Zoning Code, all existing and proposed development shall provide parking facilities and manage access in accordance with this Zoning Code.
- 2) With the exception of restriping a parking area or other vehicular use area which does not result in a reconfiguration of the parking spaces, any modification to existing parking facilities shall conform to the requirements of this Zoning Code.
- 3) Buildings and uses lawfully existing as of the effective date of this Zoning Code may be renovated or repaired without providing additional parking facilities, provided there is no increase in gross floor area or change in use of existing floor area that would increase parking demand.
- 4) Where a building or use existed as of the effective date of this Zoning Code, and the building or use is enlarged in gross floor area or impervious area by 10 percent or 2,000 square feet, whichever is less, parking as specified in this Zoning Code shall be required for the enlarged area. The addition of an accessory building or structure shall be considered an enlargement of the building or use.
- 5) A change in use of a building or use existing as of the effective date of this Zoning Code shall require additional parking facilities to comply with the requirements of this Zoning Code for the new use unless the new use has the same parking requirement or a lesser requirement than the previous one.

b) General Provisions

1) Parking Required

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

2) Location of Parking Spaces

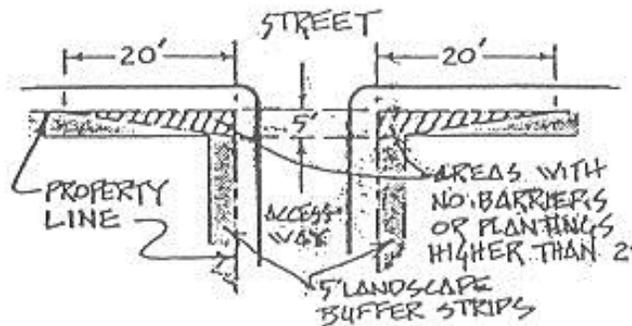
Unless otherwise approved in an alternative parking plan under 23.01(14)(h) Alternative Parking Plan, parking spaces shall be located as set forth below.

a) Single- and Two-Family Building Types

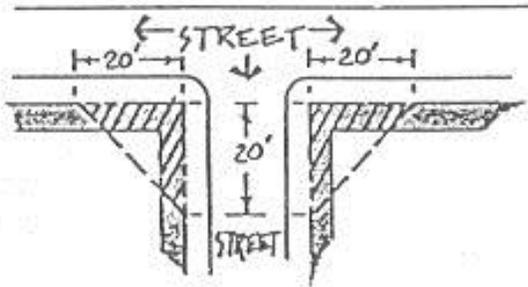
- i. Required parking spaces shall be located on the same lot and shall not be located within the required front setback, except single- and two-family driveways leading to an approved parking area.
- b) Apartment, Mixed Use, and Non-Residential Building Types
 - i. All required parking spaces shall be located on the same site or on off-site land within 1,320 feet of the building, structure or use served (measured from the nearest point of the parking area to the nearest point of the building, structure or use served by such parking lot).
 - ii. All off-street parking shall be arranged so that no vehicle is forced onto any public street to gain access from one parking aisle to another parking aisle.

3) Clearview Requirements

- a) When an accessway intersects a public right of way or when the subject property abuts the intersection of two or more public rights of way, all parking lots or vehicular use areas within the triangular area described below shall provide unobstructed cross-visibility, with no obstructions higher than two feet.
- b) The areas of property on both sides of an accessway formed by the intersection of each side of the accessway and the public right of way line, consisting of 20 feet along the public right of way and five feet perpendicular to the line, and the third side being a line connecting the ends of the two other sides.



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



c) Parking Ratios

1) Calculation of Ratios

a) Mixed Uses

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

b) Fractional Measurements

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

2) Minimum

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

3) Required Parking Ratios

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

Specific Use		Minimum Parking	
Residential			
Household living	Detached living	2.0 per unit	
	Accessory dwelling	1.0 per unit	
	Attached living	1.0 per unit	
	Multifamily living or upper-story living		1.25 per each studio unit
			1.50 per each 1 bedroom unit
			1.75 per each 2 bedroom unit
			2.00 per each 3 bedroom unit and above
Retirement community	1.0 per unit		
Senior housing		0.60 per attached unit	
		1.5 per detached unit	

	All other uses	2.0 per unit
Group living	Assisted living or congregate care facilities	0.3 per bedroom
	All other uses	1.0 per 300 square feet of gross floor area
Social service	All uses	1.0 per 300 square feet of gross floor area
Public		
Parks & open space	All uses	As determined by Plan Commission and Common Council
Place of worship	All uses	1.0 per 4 seats in main worship space, if benches, 20 inches shall equal 1 seat
Port & terminal	All uses	1.0 per 225 square feet of gross floor area
Schools	Additions to existing schools	To be established by the Common Council
	3-year high school	9.5 per classroom
	4-year high school	7.5 per classroom
	Elementary or middle school	3.5 per classroom
Utilities	All uses	1.0 per 300 square feet of gross floor area (office)
Commerce		
Day care	All uses	1.0 per 300 square feet of gross floor area
Indoor recreation	Auditorium	1.0 per 4 seats or 1.0 per 75 square feet of gross floor area (whichever is greater) + 1.0 per 100 square feet of gross floor area of conference, banquet, restaurant
	Bowling alley	5.0 per alley + 1.0 per 100 square feet of gross floor area of conference, banquet, restaurant
	Theaters	1.0 per 4 seats
	All other uses	1.0 per 200 square feet of gross floor area
Medical	Hospital	0.50 per bed
	Medical, dental office or chiropractor	1.0 per 300 square feet of gross floor area
	All other uses	1.0 per 300 square feet of gross floor area
Office	With drive thru service	1.0 per 350 square feet of gross floor area
	Without drive thru service	1.0 per 300 square feet of gross floor area
Outdoor recreation	Campground, travel trailer park, RV park	1.0 per space
	Golf course or country club	3.0 per hole + 2.0 per court
	Horse stable, riding academy equestrian center	1.0 per each 5 stalls
	Stadium or arena	1.0 per 4 seats

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

4)Maximum

- a) No use shall provide more than 150 percent of the required parking shown in the table above unless any parking above the 150 percent threshold is provided on pervious surface or as underground or structured parking.
- b) Where a project is intended to be developed in phases, the ~~Plan Commission and Common Council~~Administrator may approve development of a parking area intended to serve current and future development.

5)Unlisted Uses

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

6)Administrative Modification

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

7)Credit for On-Street Spaces

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

d) Parking Reductions

Parking may be reduced according to the following standards.

1)Bus Transit Availability

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

2)Provision of Structured Parking

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

3)Access to Car-Sharing Program

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

4)Tree Preservation

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

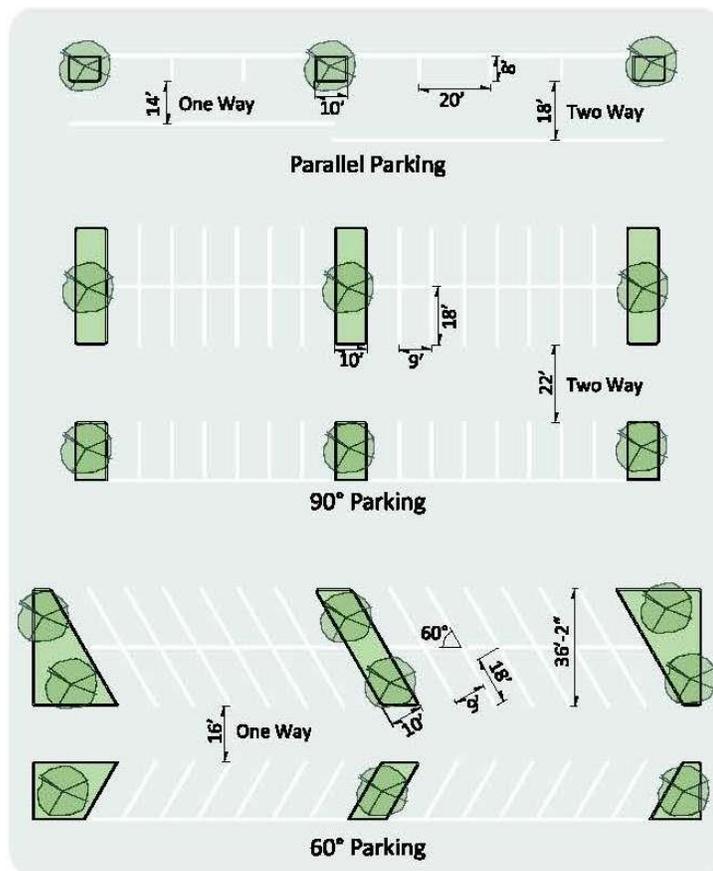
5)Designated Downtown

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

e) Parking Area Design Standards

1)Parking Space Layout

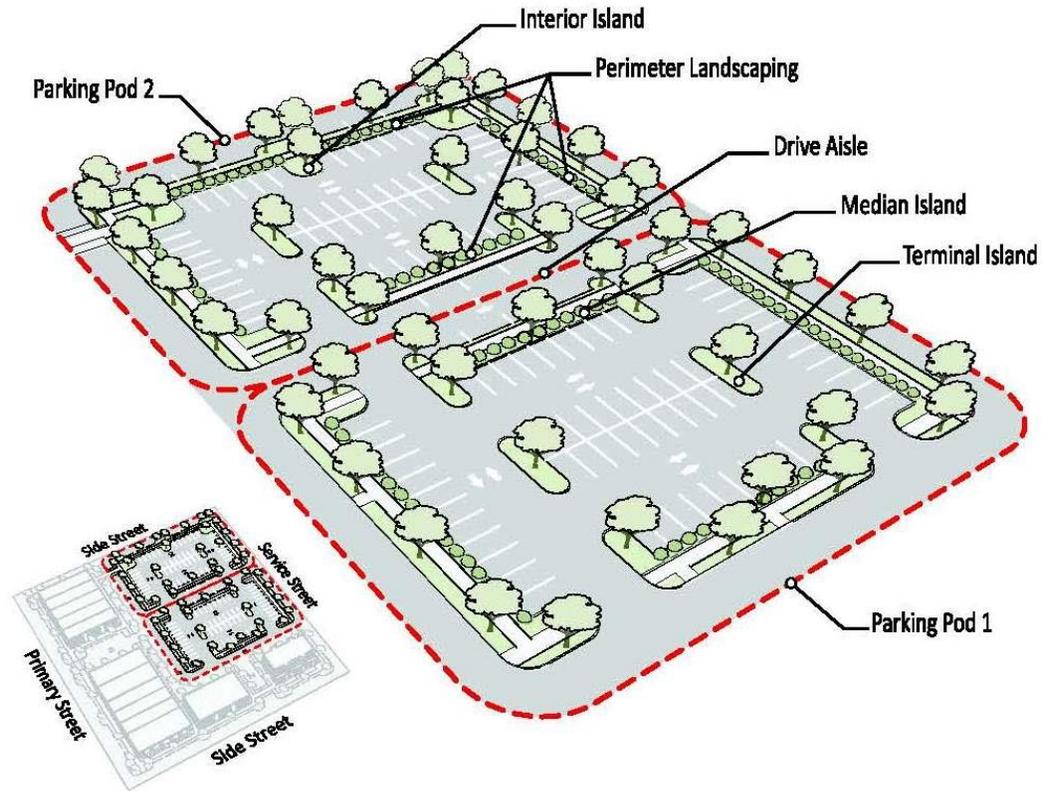
a) Parking space layout shall meet the following dimensions.



- b) Parking spaces using geometric standards other than those specified above may be approved by the City Engineer, subject to a determination by the Administrator that the proposed facility will satisfy these parking requirements as well as would a facility using the dimensions specified above.
- c) Compact spaces may be substituted for no more than 25 percent of the total number of off street parking spaces required. Where provided, compact spaces shall be a minimum of seven feet, six inches in width and 15 feet in length.

2) Parking Pods

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



a) Perimeter Landscaping

- i. Perimeter landscaping shall be a minimum of five feet wide, landscaped with one canopy or evergreen tree for every 50 linear feet (spaced a maximum of 75 feet apart) and shrubs installed at a rate of one for every 15 square feet of landscaped area.
- ii. An opaque fence a minimum of 30 inches located in a three-foot planting strip may be substituted for the shrubs.

b) Interior Islands

- i. An interior landscaped island shall be provided for every 25 spaces per parking row. Each island shall contain a minimum of 200 square feet with a minimum width of eight feet inside the curb and include a minimum of one canopy or evergreen tree.
- ii. Interior islands shall be distributed throughout the parking area, with no parking space located more than 200 feet from a planting island.
- iii. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees where approved by the ~~Plan Commission and Common Council Administrator~~.

c) Terminal Islands

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

d) Median Islands

- i. A median island with a minimum width of eight feet inside the curb shall be sited between every eight single parking rows and along primary internal and external access drives.
- ii. Each median island shall be planted at the rate of one canopy or evergreen tree for every 50 linear feet (spaced a maximum of 75 feet apart).
- iii. Median intervals may be expanded in order to preserve existing trees, where approved by the ~~Plan Commission and Common Council~~Administrator.
- iv. A median island may also serve as the location for a sidewalk connecting the use and the street. In such case, the sidewalk shall be a minimum of five feet wide, and the remaining planting area shall be no less than five feet wide.

e) Landscaping Specifications

- i. General
 - a) Plant material shall be true to name, variety, and size and shall conform to all applicable provisions of the American Standards for Nursery Stock, latest edition.
 - b) Plant materials shall be cold hardy for the specific location where they are to be planted.
 - c) Trees and shrubs shall be salt-tolerant in areas immediately adjacent to parking lots.
 - d) Trees and shrubs shall be drought-tolerant and able to survive on natural rainfall once established with no loss of health.
- ii. Canopy Trees
 - a) Canopy trees selected for planting shall meet the minimum requirements provided in the American Standard for Nursery Stock, latest edition as published by the American Nursery & Landscape Association.
 - b) All single trunk trees shall have a minimum 2½-inch caliper, and must measure a minimum of 10 feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.
 - c) Multi-trunk trees shall have main stems with a minimum 1½-inch caliper per trunk, a minimum of three main stems, and must measure a minimum of 10 feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.
- iii. Evergreens

- a) Evergreens selected for planting shall meet the minimum requirements provided in the American Standard for Nursery Stock, latest edition as published by the American Nursery & Landscape Association.
 - b) All evergreens must measure a minimum of three feet tall at time of planting. All tree heights shall be measured from the top of the root ball to the tip of the highest branch.
- iv. Shrubs
- a) Shrubs selected for planting shall meet the minimum requirements provided in the American Standard for Nursery Stock, latest edition as published by the American Nursery & Landscape Association.
 - b) All required shrubs shall be a minimum of 20 inches in height in a minimum three-gallon container.
 - c) Shrubs shall be of a species that under average conditions will reach a minimum height of 24 inches within 12 months.
 - d) When planted as a hedge, the maximum spacing for 20-inch high shrubs shall be 36 inches on center. Spacing for other size shrubs shall be determined by the Administrator.
 - e) Other plantings may be substituted for shrubs if they provide similar screening. Such substitutions must be approved by the Administrator.
- v. Credit for Existing Plant Material
- a) Required landscaped areas may incorporate existing natural vegetation to the maximum extent feasible. Prior to disturbance of a required planting area, approval shall be obtained from the Administrator. Where existing vegetation is inadequate to meet the required landscaping standards, additional plant material shall be required.
 - b) Existing native habitat or vegetation located within planting areas and meeting the requirements of this Zoning Code may be counted.
 - c) In the event that the existing vegetation has been credited and is subsequently removed or dies, it shall be replaced with the appropriate planting material.
 - d) Credit may also be permitted for existing plant material, fences and walls on abutting property, provided such items are in a permanently protected area, including, but not limited to:
 - 1. A conservation easement or preserve area on adjacent property; or
 - 2. An existing utility or drainage easement exceeding 100 feet in width.
- vi. Irrigation

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

- f) **Maximum Parking Area Pod Size**
Parking areas shall be broken up by landscaped area, tree islands, and buildings into pods containing no more than 160 parking spaces.
- g) **Accessible Parking**
Accessible parking shall be provided in compliance with the Americans with Disabilities Act Accessibility Guidelines.
- h) **Surfacing**
 - i. **Surfacing Required**
Except as provided below, where parking facilities or any other vehicular use area are provided, they shall be surfaced with asphalt bituminous, concrete or dustless material approved by the Administrator, and shall be maintained in a smooth, well-graded condition.
 - ii. **Pervious Parking Surfaces**
 - a) All parking spaces may be surfaced with pervious parking surface that is engineered for parking or driveways.
 - b) Where an existing tree is adjacent to parking; paver bricks or other pervious surface shall be used within the dripline of the tree. No parking shall be located closer than five feet from the trunk of an existing tree.
 - c) Where provided, pervious parking surfaces shall be maintained in a sound, well-graded condition.
- i) **Setback**
 - i. All off-street parking must observe the required parking setback for the appropriate zoning district identified below.
 - a) **Street Right of Way Setback**

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

b) Side and Rear Yard Setback

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

- ii. In the event any parking abuts a walkway, sidewalk or street, the parking shall be separated by curbing or other protective device.
 - iii. All parking shall be separated from buildings by a minimum distance of three feet.
- j) Striping
All parking areas over 2,000 square feet or containing more than five individual off-street parking spaces, shall stripe their required parking spaces.
- k) Curbs
Where parking facilities or any other vehicular use areas are provided, they shall have curbs or wheel stops to prevent vehicles from overhanging adjacent property or landscaped areas. Where vehicles will overhang over medians or islands, shrubs and trees shall be planted a minimum of two feet from back of the curb or wheel stop. Where pervious parking surfaces or swales are provided, the Administrator may allow wheel stops in place of curbs. The Administrator may waive the curb requirement if an adequate or superior measure is used to protect the landscaped areas.
- l) Drainage
Where possible, a portion of the drainage from parking areas should be drained through swales that include deep rooted perennial ornamental grasses.

f) Bicycle Parking

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

- 1) Apartment, mixed use, and non-residential development providing more than 20 vehicle but less than 100 vehicle parking spaces shall be required to provide six bicycle parking spaces. An additional one bicycle parking space shall be provided for each additional 25 vehicle parking spaces, or fraction thereof. A minimum of four and a maximum of 24 bicycle parking spaces shall be required under this paragraph.
- 2) Bicycle parking facilities shall be located within 120 feet of the main building entrance, unless approved by the Plan Commission and Common Council.
- 3) Bicycle parking facilities shall be of high-quality type construction that:
 - a) Supports the bicycle upright by its frame in two places;
 - b) Prevents the wheel of the bicycle from tipping over;
 - c) Enables the frame and one or both wheels to be secured;
 - d) Supports bicycles without a diamond-shaped frame with a horizontal top tube;
 - e) Allows front-in parking: a U-lock should be able to lock the front wheel and the down tube of an upright bicycle; and
 - f) Allows back-in parking: a U-lock should be able to lock the rear wheel and seat tube of the bicycle.
- 4) Bicycle parking facilities should be designed to have the following minimum area and spacing requirements:
 - a) The separation between the rack and any wall or barrier shall be 24 inches;
 - b) The racks shall be placed 30 inches on center;
 - c) The separation between aisles shall be 48 inches; and
 - d) The depth of each row shall be 72 inches.
- 5) Alternative bicycle parking facility standards may be approved by the ~~Plan Commission and Common Council~~ Administrator where they are functionally equivalent to the most recent version of the Bicycle Parking Guidelines from the Association of Pedestrian and Bicycle Professionals.

g) Constrained Sites

Alternative parking and landscaping standards may be approved by the ~~Plan Commission and Common Council~~ Administrator only where the required parking and landscaping in this Zoning Code cannot be physically met on the site for one of the following reasons described below. Such alternative standards shall be the least aggressive possible.

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

- 2) Redevelopment of an existing site would reduce the number of stalls below the required number for the use or reduce aisle widths below the recommended standard; or
- 3) The existing site has lost area from landscaping due to adjacent road widening or other right-of-way infrastructure improvements.
- 4) A parking facility addition would be inconsistent with the layout or setback of the existing parking facility to the extent where it would significantly change the configuration of the existing facility to meet current standards. Such addition shall not exceed more than 50 percent of the existing parking facility area.

h) Alternative Parking Plan

1) Applicant-Submitted Parking Data

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

2) Off-Site Parking

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

a) Ineligible Activities

- i. Off-site parking may not be used to satisfy the off-street parking requirements for convenience stores or other convenience-oriented uses.
- ii. Required parking spaces reserved for persons with disabilities may not be located off-site.

b) Location

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

c) Zoning Classification

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

d) Agreement

- i. In the event that an off-site parking area is not under the same ownership as the principal use served, a legally binding written agreement between the record owners of the property establishing the duration and conditions associated with the off-site parking.
- ii. An off-site parking agreement may be rescinded only if all required off-street parking spaces will be provided in accordance with this Zoning Code.

3) Shared Parking

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

- a) Ineligible Activities
Required parking spaces reserved for persons with disabilities may not be located off-site.
- b) Location
Shared parking spaces shall be located within 1,320 feet of the primary entrance of all uses served, unless shuttle bus service is provided to the parking area.
- c) Zoning Classification
Off-site parking areas shall be located within a district which would permit the use to which such parking is accessory.
- d) Shared Parking Study
Applicants shall submit a shared parking analysis to the ~~Plan Commission and Common Council~~Administrator that clearly demonstrates the feasibility of shared parking. The study shall address, at minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking for all uses that will be sharing the parking spaces.
- e) Agreement
 - i. A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Administrator.
 - ii. A shared parking agreement may be rescinded only if all required off-street parking spaces will be provided in accordance with this Zoning Code.

4) Valet Parking

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

- a) Adequate assurance of the continued operation of the valet parking is provided, such as a contractual agreement for valet services or the tenant's affidavit agreeing to provide such services.
- b) An equivalent number of valet spaces are available to replace the required parking spaces. Such valet spaces do not require individual striping, and may take into account the tandem or mass parking of vehicles.
- c) Valet parking drop-off locations shall meet the requirements for stacking areas.
- d) The design of the valet parking shall not cause customers who do not use the valet service to park off-premise or cause queuing in the right-of-way.

5) Recording of Approved Plans

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

6)Amendments

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

i) Site Access

1)General Standards

- a) All buildings shall be located on a site abutting a public or private street.
- b) Unless otherwise approved by the City Engineer, all liner buildings must take vehicular access from within the site.
- c) Unless otherwise approved by the Administrator, all apartment, mixed use, and non-residential sites abutting an arterial street must provide a shared access easement with a minimum paving width of 22 feet when abutting another apartment, mixed use, or non-residential property.
- d) No vehicle or obstacle may block driveways intended for use as a fire lane, or cross-access easement.
- e) All driveways shall be surfaced with asphalt bituminous, concrete or dustless material approved by the Administrator, and shall be maintained in a smooth, well-graded condition.

2)Access to Arterial Streets

- a) Direct driveway access from any lot to an existing or proposed arterial street shall be prohibited unless approved by the City Engineer.
- b) When an apartment, mixed use, or non-residential site is abutting an existing or proposed arterial street, access to the arterial street may be limited by one of the following means:
 - i. Driveway access between the site and an arterial street may be located no closer than 300 feet to any other proposed or existing intersecting arterial;
 - ii. Sites may be subdivided so as to provide access onto a frontage road; or
 - iii. Approval of driveway access between a site and the arterial at an interval less than those specified may be granted only by review and recommendation of the City Engineer.

3)Driveways for Residential Uses

- a) Alley Access Required
 - i. When an improved alley is provided, all vehicular access shall take place from the alley. Access may be taken from the side street on corner lots.
 - ii. All lots 40 feet or less in width are required to take vehicular access from a rear alley. In the event that a lot existing at the time of the effective date of this Zoning Code is less than 40 feet in width and does not abut an alley, then the lot may take vehicular access from the street.
- b) Width of Driveways

- i. Driveways on lots less than 35 feet in width may be no less than nine feet and no more than 12 feet in width in the required front setback.
- ii. Driveways serving on lots greater than 35 feet in width may be no less than nine feet and no more than 20 feet in width in the required front setback.
- iii. Driveways shall be measured at the face of the walk, or right-of-way in rural sections.

c) Location of Driveways

- i. Unless otherwise approved or required by the City Engineer, non-alley loaded residential driveways may be no closer than 30 feet from any other driveway and no closer than three feet to any side lot line.
- ii. Unless otherwise approved or required by the City Engineer, non-alley loaded driveways may intersect a street no closer than 20 feet from the intersection of two street right-of-way lines and no closer than 50 feet from the intersection of an arterial street.
- iii. Unless otherwise approved or required by the City Engineer, driveways shall be at least five feet from hydrants and utility poles/structures.

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

a) Alley Access Required

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

b) Width of Driveways

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

c) Location of Driveways

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

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

- ii. Driveways shall be separated by a distance not less than 150 feet measured centerline to centerline of the driveways. In the event that an infill lot is unable to meet this separation requirement due to the location of existing driveways on adjacent lots, the infill lot shall be permitted one driveway.
- iii. Unless otherwise approved or required by the City Engineer, the permitted driveway for a corner lot shall connect to the street with the lower roadway classification.
- iv. Unless otherwise approved or required by the City Engineer, non-alley loaded driveways may intersect a street no closer than 50 feet from the intersection of two street right-of-way lines and no closer than 100 feet from the intersection of an arterial street. If a greater distance is required by the Wisconsin Department of Transportation, as indicated in their most recent Facilities Development Manual, that distance shall be provided, unless otherwise approved by the City Engineer.
- v. Driveways shall be contained entirely within the property frontage or as part of a joint access easement with an adjacent platted property.
- vi. Unless otherwise approved or required by the City Engineer, driveways shall be at least five feet from hydrants and utility poles/structures.

j) Stacking

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

1) Minimum Number of Spaces

Off-street stacking spaces shall be provided as follows:

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

Other	*	Determined by Plan Commission and Common Council
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2) Design and Layout

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

- a) Dimensions
Stacking spaces shall be a minimum of nine feet by 20 feet in size.
- b) Location
Stacking spaces shall not impede on- or off-site traffic movements or movements into or out of parking spaces.
- c) Design
Stacking spaces shall be separated from other internal driveways by raised medians if deemed necessary by the Administrator for traffic movement and safety.

15) Off-Street Loading

g) Loading Facilities Required

- 1) Off-street loading facilities shall be required for uses that regularly handle large quantities of goods, as determined by the Plan Commission and Common Council. Loading facilities shall be of sufficient quantity to adequately serve the proposed use.
- 2) Any vehicle sales or rental facility or similar use requiring delivery of vehicles by truck shall demonstrate adequate on-site area exists for the loading and unloading of such trucks.
- 3) Any convenience store or similar use requiring deliveries by truck shall demonstrate adequate on-site area exists for the loading and unloading of such trucks.

h) Design and Layout

- 1) With the exception of designated downtown areas, loading and unloading activities shall not be permitted in any public right-of-way.
- 2) With the exception of designated downtown areas, loading and unloading activities may not encroach on or interfere with the public use of streets, sidewalks, and lanes by vehicles or pedestrians. Adequate space shall be made available for the unloading and loading of goods, materials, items, or stock for delivery and shipping.
- 3) Where off-street loading facilities are provided, they shall be not less than 15 feet in width by 60 feet in length, with not less than 15 feet of vertical clearance.
- 4) All loading areas shall be screened from view from public right-of-way and adjacent residential districts.

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: August 18, 2014
Adopted: August 18, 2014
Published: August 22, 2014

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

[ZONING CODE – SPECIAL DISTRICTS]

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

SECTION I: That Section 23.02(4)(d)(3.1) of the Revised Municipal Code of the City of Stevens Point, Special Districts, Wireless Communication Towers, be amended to read as follows:

Section 23.02(4)(d)

3.1) Location of New Antennas and Co-Location of Antennas

Co-location or Freestanding New Antenna

	Industrial	University & Commercial			Residential	Conservancy
	M-1 & M-2	B-4, B-5, & U	B-3	R-5, B-1, & B-2	RLD, R-1, R-2, R-3, & R-4	C
Antenna on existing tower or building (co-location)	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
New tower	Conditional	Conditional	Conditional	Conditional	Prohibited	Conditional
Height (max.)	150' (175' only within 2,000 feet of I-39 and not closer than 250' of residences)	135'	120'	60'	60'	150'*
All antennas subject to airport height restrictions						
Setbacks (min.)	Height of tower (but not to exceed 150')	Height of tower (but not to exceed 150'). Setbacks in "B-5" Highway Commercial may be one-half the height of the tower only in cases where the antenna array is constructed no more than 2' from the exterior of the tower.			Height of tower	Height of tower*

Note: Setbacks in any district may be modified by the Common Council only in cases where the tower cannot be physically located on the site, or where the applicant has camouflaged the support structure by design or appearance that hides, obscures, or conceals the presence of the tower and antennas, for example, as a flag pole, or added the antenna to an existing support structure, for example on an existing light pole, and only in cases where the public interest is served by the modification.

New Telecommunications Towers are a conditional use in the M2 Heavy Industrial, M1 Light Industrial, B5 Highway Commercial, B4 Commercial, B3 Central Business District, B2 Central Business Transition, B1 Neighborhood Commercial, University, R-5 Multifamily II, and C Conservancy Districts. Telecommunications Towers are prohibited in R-4, 3, 2, 1, & LD Residential Zones unless on publicly owned property. Preference will be given to sites which are greater than 300 feet from Residential Zones.

* exceptions to height and setback may be made in instances where the land in the vicinity of the proposed site in Conservancy zoning only is not developed to its full potential and in the opinion of the council the site is likely to remain undeveloped due to area constraints.

Antenna arrays may be mounted on the top of and attached to roofs of existing buildings or structures that are at least thirty feet (30') or more in height above the street grade upon which such building fronts or may be attached to the facades of buildings, existing towers, or other structures; provided, however, that such antenna arrays shall add not more than twenty feet (20') to the total height or elevation of such building from the street grade, (including the antenna array) and antenna arrays so mounted shall be obscured from view from the street up such building fronts by the use of screening materials designed, painted and maintained in a manner that will blend with the appearance of the building

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

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: August 18, 2014
Adopted: August 18, 2014
Published: August 22, 2014

RESOLUTION

[UNADDRESSED PARCEL WEST OF 707 ARLINGTON PLACE, DESCRIBED AS OUTLOT 1 ON CSM 9511-40-141 – WIRELESS COMMUNICATION TOWER]

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 directly **west and adjacent to 707 Arlington Place (Parcel ID 2408-32-3002-55)**, described as Outlot 1 on Certified Survey Map 9511-40-141, City of Stevens Point, Portage County, Wisconsin, hereby be granted a Conditional Use Permit for the purposes of installing a wireless communication tower along the Wisconsin River, as per the attached plans, with the following conditions:

1. Any other pertinent requirements from the Federal Aviation Administration (FAA) shall be met.
2. Any and all mechanical equipment located on the ground shall be completely concealed within a structure or box.
3. A separate gated security fence shall surround the tower base and any mechanical equipment.

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

Approved:

Andrew J. Halverson, Mayor

Attest:

John Moe, City Clerk

Dated: August 18, 2014

Adopted: August 18, 2014

Drafted by: Michael Ostrowski

Return to: City Clerk

CITY OF STEVENS POINT

BOARD OF PUBLIC WORKS MEETING

Monday, August 11, 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), JoAnne Suomi(2nd), Michael O’Meara(3rd), Jeremy Slowinski(6th) and Randal Stroik(9th).

ALSO PRESENT:

DIRECTORS: Michael Ostrowski – Community Development, Joel Lemke – Public Utilities and Transportation, and Tom Schrader – Parks and Recreation.

ALDERPERSONS: Mike Wiza(4th), Mary Stroik(5th), Roger Trzebiatowski(7th), Tony Patton(8th), Michael Phillips(10th) and Jerry Moore(11th).

CITY STAFF MEMBERS: City Attorney A. Logan Beverage, City Clerk John Moe, Police Department Tony Babl, Interim Fire Chief Bob Finn, Street Superintendent Dennis Laidlaw, and Personnel Manager Lisa Jakusz.

OTHERS PRESENT: Brandi Makuski – Stevens Point City Times, Nate Enwald – P.C. Gazette, Barb Jacob – 1616 Depot Street, Bob Fisch – 1033 Smith Street, Tori Jennings – 1632 Ellis Street, Armin and Cindy Nebel – 1100 Phillips Street, Rand Bradley – District 5, Kim Basala – Plover , James Evins and Tina Wiley – 1300 Briggs Court.

Mayor Andrew Halverson called the Board of Public Works meeting to order on August 11, 2014 at 6:00 P.M. The meeting was held at The Lincoln Center at 1519 Water Street in Stevens Point, WI 54481.

1. Consideration and possible action to accept the list for the 2014-15 Sidewalk Repair/Replacement Orders.

There were no comments or questions regarding the list.

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

Ayes all; nays none; motion carried

2. Consideration and possible action to award the High Strength Waste Receiving and Forcemain Project #14-08 to Miron Construction.

Aldersperson O’Meara moved approval of the lowest qualified bidder; seconded by Aldersperson Doxtator.

Mayor Halverson clarified that we have a motion and a second to approve awarding the bid to Miron Construction in an amount of \$1,060,200.

Aldersperson Stroik asked if that amount included a contingency. Director Lemke said that the amount does not include a contingency.

Mayor Halverson asked Aldersperson O'Meara and Aldersperson Doxtator if they would authorize a 15% contingency on the total within the authorized motion.

Aldersperson O'Meara moved to authorize a contingency up to 15% above the approved amount; seconded by Aldersperson Doxtator.

Aldersperson Slowinski asked for confirmation that the Brewery will be responsible for half of the amount as agreed. Mayor Halverson said that is correct.

Ayes all; nays none; motion carried

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

Mayor Halverson asked if the Director could give a brief update on the Seawall Project. Director Schatschneider explained the significant expansion to the seawall checklist that is attached in his Director's Report. He stated that we still do not have an official approval of our LOMR. Initially we had anticipated an approval date of late June but unfortunately FEMA asked a couple different times for additional information. Unfortunately, when they do that, the initial 90 day clock stops until they receive the information requested. In early July AECOM received a rough draft of the new FIRM map and confirmed it and sent it back. Since that time FEMA has now asked for AECOM to run the HEC-2 Model again and create another cross section where the seawall is, however; this is something that AECOM can deliver on but it is another step we have to take. Director Schatschneider stated that he does not want to put dates on the checklist anymore. He said he will update the checklist as we get information back and take the next steps moving forward.

Aldersperson Stroik asked for clarity in that it is no longer feasible to think this will be getting done in 2014. Mayor Halverson said that it is unlikely. Mayor Halverson added that unfortunately it is an extreme burden with the tripling of flood insurance rates for the 200+ property owners this affects. Mayor Halverson added in some instances it nearly outweighs the entire tax burden of the property.

Aldersperson Slowinski asked if AECOM will be charging us for all the additional work that is being required by them. Director Schatschneider said there has been no mention of additional fees and added that they have been so committed to getting Stevens Point over this, through the conversations that have taken place, he is hoping it will be whatever it takes to get this approved.

Aldersperson Wiza asked if we would then be waiting to begin the special assessments for these homeowners in 2016. Mayor Halverson said that is correct.

Director Schatschneider pointed out that we own the Rocky Run Bridge that is located on West Zinda Drive as it turns into CTH C pictured on page 14 at the end of the Director's Report in the Agenda Packet. Director Schatschneider explained the purpose of the Rocky Run Bridge Deck Epoxy Overlay Project that will be bidding this month is because it is in need of some surface treatment on the deck.

Mayor Halverson stated that he finds it interesting that we hold ownership on that bridge given the geographical area it resides within the City and us never being able to grow into. He added that thankfully it is built to a spec that will probably give us another 50 to 60 years, but it will come up in councils in the future on how we will fund replacement of the bridge.

Aldersperson Stroik moved approval; seconded by Aldersperson Slowinski.

Ayes all; nays none; motion carried

- 4. ADJOURNMENT: Mayor Andrew Halverson adjourned the August 11, 2014 Board of Public Works Meeting at 6:12 P.M.**



STEVENS POINT
WATER
AND
SEWAGE TREATMENT
DEPARTMENTS

August 11, 2014

MEMORANDUM

TO: Water and Sewerage Commission

FROM: Joel Lemke, Director

RE: High Strength Waste Project

Commissioners:

Last Friday, August 8th, the re-bidding of the “High Strength Waste Project” took place. I am pleased to tell you that there were three bidders and that all bids received were close in dollars. The bid tabulation for this project is as follows:

Miron Construction	\$1,060,200
Staab Construction	\$1,068,700
Altmann Construction	\$1,143,800

At this time I would like to request that the commission approve the low bid amount of \$1,060,200 to Miron Construction.

Additionally, we have chosen to complete the work that is involved in installing the force main between the brewery and the WWTF outside of the contract to save dollars. We are requesting approval to complete this portion of the project outside of the above contract. These project costs are estimated to be between \$200,000 and \$300,000.

Last month the Commission acted on an agreement with the brewery that is needed to move forward on this project. The above approvals would be contingent on that agreement being fully executed which would mean the brewery is financially committed to half of the project costs.

Thank you for your consideration.

Best Regards,

Joel Lemke
Director of Public Utilities and Transportation



**CITY OF STEVENS POINT
PUBLIC PROTECTION COMMITTEE
Monday, August 11, 2014 – 6:12 P.M.
Lincoln Center – 1519 Water Street**

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

Also

Present: Mayor Halverson; City Attorney Beveridge; Clerk Moe; Comptroller/Treasurer Ladick; Alderpersons Suomi, O'Meara, R. Stroik, Phillips and Moore; Directors Schrader, Ostrowski and Lemke; Sgt. Babl; Keith Pilger; Tori Jennings; Barb Jacob; Lindsay Ryan; Garrett Ryan; Cindy Nebel; Armin Nebel; James Evins; Tina Wiley; Kim Basala; Paul Wachowiak; Rich Sommer; Rob Konkol; Joe Cyran; Daryl Kurtenbach; Becky Jirous; Nate Enwald – Gazette; Brandi Makuski – City Times; Sari Lesk – Stevens Point Journal

1. License List:

A. New Operator's (Bartender's) Licenses.

B. Temporary Extension of Licensed Premise – Partners Pub and Grill Inc., 2600 Stanley Street for Partners Pub and Grill, request for temporary extension of licensed premise to include a fenced in area in their parking lot for 37th Annual Homecoming Celebration on Saturday, September 27, 2014.

Sgt. Babl stated the Police Department does not have any issues with this event. He noted two contractual officers have been hired for the homecoming celebration event.

Rob Konkol, 2708 Stanley Street, said he is available for any questions.

Ald. Wiza asked if Ald. Suomi has any concerns with this request.

Ald. Suomi said last year was a good year but weather is always a factor for this event.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, approval of the new operator licenses and the temporary extension of premises for Partner's Pub for the homecoming celebration on September 27.

Ald. Trzebiatowski asked if there were any communications with the owners of the apartment complexes behind Partner's Pub.

Sgt. Babl said extra officers will be working homecoming weekend and the Police Department plans to send out letters to the neighbors again this year.

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

2. Request to Hold Event / Street Closings:

A. Stevens Point Area Catholic Schools – 5 K Color Fun Run in conjunction with Panacea on September 6, 2014.

B. Tina Wiley, 1300 Briggs Ct., #506 – Request to hold a Hi – Rise rummage sale on August 23, 2014 at the public parking lot in front of the Hi-Rise Manor, 1300 Briggs Ct.

Kim Basala, representing SPACS, is requesting support for the 5K Color Fun Run.

Ald. Wiza stated this request does not require any street closings, it is just to hold the event.

Ms. Basala replied that is correct.

Ald. Wiza asked if this raises any concerns with the Police Department.

Sgt. Babl replied no.

Ald. Wiza **moved**, Ald. Slowinski seconded, approval of the event for the 5K Color Fun Run held in conjunction with Panacea on September 6, 2014.

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

Tina Wiley, 1300 Briggs Court, is requesting to hold a rummage sale in the public parking lot in front of the Hi-Rise Manor.

Ald. Trzebiatowski asked if there is a designated area in the parking lot for the sale.

Ms. Wiley said it will be in the middle of the lot.

Ald. Trzebiatowski asked if it will be in the crosswalk area.

Ms. Wiley responded yes.

Ald. Doxtator stated he is in favor of this request.

Ald. Wiza asked if the Police Department could designate no parking in this area during the sale.

Sgt. Babl said this area needs to remain open for emergency vehicles. He is also concerned with setting a precedence for allowing rummage sales on public property.

Mayor Halverson asked if Ms. Wiley contacted the Executive Director to ask permission to use the lot north of the Hi-Rise building.

Ms. Wiley replied no.

Mayor Halverson believes there would be plenty of area to accommodate the rummage sale on that site.

Ald. Wiza asked if there are any ordinances that prohibit sales on public property.

City Attorney Beveridge replied not that he is aware of.

Ald. Wiza recommended that Ms. Wiley talk to the Executive Director to hold the sale on site prior to the Council meeting.

Ald. Wiza **moved**, Ald. M. Stroik seconded, to forward this to Council without a recommendation.

Ald. Trzebiatowski asked if this will allow enough time for the Housing Board to discuss this.

Mayor Halverson stated Ms. Wiley would just need to work this out with the Executive Director.

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

3. Ordinance – Peace and Offenses – Creation of a Chronic Nuisance Ordinance.

Cindy Nebel, 1100 Phillips, stated this is not a redundant ordinance as this ordinance only has an effect on licensed properties or multiple apartment complexes. She stated this ordinance will require people to be more responsible.

Ald. Trzebiatowski questioned under findings, why there is no time frame for three or more occurrences.

Ald. Doxtator stated it is three violations within 30 days.

Ald. Slowinski replied it is under 3A notices.

City Attorney Beveridge stated the findings section is not an operative portion of the ordinance.

Joe Cyran, 1917 Church Street, said there is a lot of vagueness in the language of this ordinance.

Ald. Wiza said he would like to recommend anybody with concerns to submit their proposed comments to the City Attorney's office.

Mr. Cyran asked why the City is not pulling licenses from chronic faulty landlords.

Armin Nebel, 1100 Phillips Street, voiced his concerns on the number of student rentals that are not licensed. He said the purpose of the ordinance is to communicate a plan that would remedy the situation.

Randy Bradley, 2133 Wyatt Avenue, said he believes the person who commits the violation should be fined. He said the city's ordinances are forcing landlords to take inferior quality tenants and then fine the landlords for the tenants' violations.

Paul Wachowiak, 1620 Meadowview Lane, said this ordinance is coming back unchanged and it still does not address the people that are violating the ordinance. He said it targets the property owner and does not get to the source of the problem.

Garrett Ryan, 1708 Clark Street, said the City does not treat landlords like business owners. He stated something needs to be done so if better verbiage is needed then it should be discussed.

Rich Sommer, 4224 Janick Circle N, stated the ordinance is much larger than it appears because there are references to state statutes which expands it. He said this ordinance will hold the landlords responsible for enforcing prostitution, drugs and noise.

Daryl Kurtenbach, 5282 Airport Road, said the ordinance has not been changed since last October so the same issues are still here. He said he is concerned that he could be responsible for circumstances that he has no control over.

Tori Jennings, 1632 Ellis Street, said the landlords are responsible for setting up rules before tenants move into their houses. She said if the tenants are not following those rules then they should be evicted from the home.

City Attorney Beveridge said this ordinance was drafted from Milwaukee's ordinance which has been in place for several years. He said the ordinance went through three versions of changes to address concerns that were presented. The City Attorney reviewed the changes: 1) the amount of time to respond to notices from the Police Chief went from 10 days to 15 days, 2) the window in which three nuisance activities went from 60 days to 30 days and 3) a good faith clause was added. He said individuals will still be accountable for their actions and the tool of taking away a multiple family housing license is still in effect. The City Attorney noted this ordinance will require landlords to come up with a plan and work cooperatively.

Ald. Wiza asked if a neighboring property owner is reliable for violations occurring on their property.

City Attorney Beveridge stated he would not expect any type of action would be taken.

Ald. Wiza asked the City Attorney if he is familiar with a social host ordinance.

City Attorney Beveridge said typically those ordinances relate directly to alcohol.

Ald. Slowinski would like to take no action this evening and direct the Apartment Association, City Attorney and Police Department to set up a meeting to discuss the concerns. He said he would like an amended ordinance presented to the Public Protection Committee next month. The alderperson noted any person interested in being involved with this discussion should contact the City Attorney.

Mr. Kurtenbach said next month is a bad time for landlords.

Ald. Slowinski suggested having a September meeting and bringing the ordinance back to the Public Protection Committee in October.

Ald. Wiza said anyone with comments should submit them in writing so they can be discussed. He is concerned with who needs a license, is it any rental with more than two unrelated persons.

Director Ostrowski stated not all rentals require licensing. He said if you have three or more units or three individuals within a specific unit, you would need a license.

Ald. Wiza asked if a unit is a property address or mailing address.

Director Ostrowski replied it is a property address.

Mayor Halverson said a concern will be the amount of duplexes that meet the standards of "R3" zoning that have two units with two unrelated persons in either side of those properties, then one of the tenants develops a long term friend who is not an official resident, this becomes a very important element in this matter. He said the City could pursue requiring all rentals to be licensed. The Mayor said the current ordinances are mute on how to handle a situation where someone who is renting out a property for profit that is not licensed.

Ald. Slowinski said he wants the ability for everyone to be part of the development of this ordinance. He also wants to make sure landlords are not responsible for something that is out of their control.

Ald. R. Stroik said he would like this ordinance moved forward because it is a tool to bring people together to solve problems. He suggested that the City Attorney contact Milwaukee to see when the ordinance has worked.

Ald. Wiza said he agrees with Ald. R. Stroik. He would like the City to take their time and do it right.

City Attorney Beveridge noted that Milwaukee's ordinance has been in effect for 13 years so there should be a lot of examples of the exact situations we are hoping this will address.

Ald. Slowinski stated this will be moved to next month's agenda as a public hearing so the concerns can be addressed to create an ordinance that will work for everyone.

4. 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.

5. Adjournment.

Adjournment at 7:25 p.m.

PERSONNEL COMMITTEE MEETING
Monday, August 11, 2014 – 7:28 p.m.
Lincoln Center ~ 1519 Water Street

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

OTHERS

PRESENT: Mayor Halverson; Alderpersons Slowinski, Trzebiatowski, R. Stroik, M. Stroik, O'Meara; Directors Schrader, Ostrowski, Lemke; Keith Pilger; Chief Finn; Sgt. Babl; Nate Enwald ~ Portage County Gazette; Brandi Makuski ~ SPCT; Sari Lesk ~ Stevens Point Journal; Human Resource Manager Jakusz

Chairman Phillips called the meeting to order.

1. Resolution to add the State of Wisconsin Deferred Compensation Program
Comptroller/Treasurer Ladick provided a brief overview. Alderman Moore asked whether the City contributes funds to these accounts on behalf of employees. Human Resource Manager Jakusz replied that employees fund these accounts through payroll deduction and there is no "match" by the City.
Alderman Suomi moved to approve the Resolution, Alderman Wiza seconded. Ayes all, nays none. Motion carried.
2. Placement of Plumbing Inspector and Electrical Inspector in grade/step of the Pay Plan
Reference was made to the memo from Mayor Halverson that was included in the packet. Essentially, the request is to place these two positions in Grade K Step 1 of the City Pay Plan. The Building Inspector position lies in the same grade.
Alderman Suomi questioned whether these are new positions. Human Resource Manager Jakusz replied that they are not new and have been in existence for a number of years. The positions are budgeted up to quarter time (520 hours per year). The request is simply to place them on the City Pay Plan.
Alderman Wiza moved to approve placement of the Plumbing Inspector and the Electrical Inspector positions in Grade K Step 1 effective August

18, 2014 (date of City Council meeting), Alderman Moore seconded.
Ayes all, nays none. Motion carried.

3. Out of state travel requests for 2015 per Administrative Policy 3.05

Reference was made to the memo included in the packet from Director Lemke. He was on-hand to address any questions from the Personnel Committee relating to the out of state travel request for 2015.

Alderman Wiza moved to approve the out of state travel request for the Transportation and Utility Department for 2015, Alderman Patton seconded. Ayes all, nays none. Motion carried.

4. Motion by Alderman Wiza, second by Alderman Moore to adjourn into closed session (7:35 p.m.) pursuant to Wisconsin State Statue 19.85(1) (f) [considering medical histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories] to consider a request for leave of absence without pay.

Roll Call: Phillips, Patton, Suomi, Moore.

Ayes all, nays none. Motion Carried.

5. Motion by Alderman Moore, second by Alderperson Wiza to reconvene into open session (7:43 p.m.) for action on the request for leave of absence without pay.

Roll Call: Phillips, Patton, Suomi, Moore.

Ayes all, nays none. Motion Carried.

Motion by Alderman Wiza, second by Alderman Moore to approve the leave of absence without pay through next November 18, 2014. Ayes all, nays none. Motion carried.

6. Adjournment ~ 7:44 p.m.

**RESOLUTION FOR INCLUSION UNDER
THE STATE OF WISCONSIN DEFERRED COMPENSATION PROGRAM**

BE IT RESOLVED by the City Council of the City of Stevens Point that pursuant to the provisions of Section 40.81(1), Subchapter VII of Chapter 40 of the Wisconsin Statutes which provides in part as follows:

“An employer other than the State may provide for its employees the Deferred Compensation Plan established by the Board under Section 40.80. Any employer, including this state, who makes the Plan under Section 40.80 available to any of its employees, shall make it available to all its employees under procedures established by the department under this chapter.”

Such City Council hereby determines to be included under the State of Wisconsin Deferred Compensation Program (“the Plan”) provided by Section 40.80 Subchapter VII of Chapter 40 of the Wisconsin Statutes and regulated by Chapter ETF 70 of the Wisconsin Administrative Code for its eligible personnel, and

BE IT FURTHER RESOLVED, the proper officers are herewith authorized and directed to take all actions and make such reductions and submit such deferrals as are required by the Department of Employee Trust Funds of the State of Wisconsin pursuant to Subchapter VII of Chapter 40 of the Wisconsin Statutes, and

BE IT FURTHER RESOLVED, that the City of Stevens Point agrees to be bound by the Terms and conditions of the contracts between the State, its investment providers, and its Plan Administrator, and the “Plan and Trust Document” and the “Employer Guide” as amended from time to time. The employer certifies it has received a copy of the Plan and Trust document.

BE IT FURTHER RESOLVED, that the City of Stevens Point representative submit a certified copy of this Resolution and “Designation of Agent” to the State of Wisconsin, Department of Employee Trust Funds and the Plan Administrator.

BE IT FURTHER RESOLVED, that the City Council recognizing the Deferred Compensation Board’s responsibility for maintaining the integrity of the Plan, the City Council hereby resolved that the proper officers of City of Stevens Point are hereby authorized and directed to cooperate fully with the Plan Administrator in accordance with procedures established by the Department of Employee Trust Funds in processing requests for withdrawal in case of an unforeseeable emergency as defined in the Internal Revenue Section 457(d)(1)(A)(iii) and Treas. Regulation 1.457-6(c)(1) of the Regulations. The designated agent is directed to acknowledge on a form authorized by the Department of Employee Trust Funds, that relevant unforeseeable emergency information has been given and received.

APPROVED: _____
Andrew J. Halverson, Mayor

ATTEST: _____
John Moe, City Clerk

Dated: August 18, 2014
Adopted: August 18, 2014

DESIGNATION OF AGENT

The person in the following position is hereby designated as the agent in matter pertaining to the State of Wisconsin Deferred Compensation Program.

Title of Position of Designated Agent: Comptroller-Treasurer

DESIGNATED AGENT NAME AND MAILING ADDRESS:

Agent: Corey Ladick, Comptroller-Treasurer

Alternate: Sara Osegard, Senior Accountant

Address: 1515 Strongs Ave., Stevens Point, WI 54481

Phone Number: 715-346-1574

Email Address: cladick@stevenspoint.com

Office Hours: 7:30-4:00 Monday-Friday

CERTIFICATION

I hereby certify that the foregoing Resolution is a true, correct and complete copy of the Resolution duly and regularly passed by the _____ of _____ (Governing Body) of _____ (Employer Name) of _____ (City) on the _____ day of _____, 20____, and that this Resolution has not been repealed or amended, and is now in full force and effect.

Dated this _____ day of _____, 20____.

Employer Representative Title

Mailing Address

Number of eligible employees: _____

**FINANCE COMMITTEE
AUGUST 11, 2014 AT 7:45 P.M.
LINCOLN CENTER – 1519 WATER STREET**

PRESENT: Alderpersons Patton, Slowinski, O'Meara, Phillips, and R. Stroik
EXCUSED: None
ALSO
PRESENT: C/T Ladick; Mayor Halverson; City Attorney Beveridge; Directors Schrader, Schatschneider, Lemke, Ostrowski; Interim Fire Chief Finn; Ald. Trzebiatowski, Suomi, Moore, M. Stroik, Doxtator, Wiza; Keith Pilger; Barb Jacob; and Sari Lesk.

ITEM #1 – 2nd Quarter Room Tax Report.

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

Ald. Phillips asked about the status of the Riverfront Arts Center account, and what is being done to address the negative balance. C/T Ladick explained that changes were made to the Arts Endowment fund, which supports the Riverfront Arts Center. Longer investments have been selected, which are more suitable for an endowment fund and are expected to generate an extra \$20,000 per year in interest income to support the Riverfront Arts Center.

Ayes: All Nays: None Motion Carried

ITEM #2 – Approval of Payment of Claims.

Motion made by Ald. Phillips, seconded by Ald. O'Meara, to approve the claims.

Ald. Phillips asked how Riverfront Rendezvous went this year. Director Schrader explained that Riverfront lost about \$6,000 to \$7,000 this year because beer sales were relatively flat. He explained that this could be because of stricter drinking laws, and that carry-in beverages also result in lost revenue.

Mayor Halverson raised a concern about the expense of \$1620 for the detailing of police cars, and said that he would like significantly more explanation related to this expense, as he did not recall this being done in the past.

Ald. O'Meara stated that we should still pay the claim because the work was performed, but that we should simply ask for an explanation from the chief.

Mayor Halverson said that we should just make sure that it doesn't happen again.

Ayes: All Nays: None Motion Carried

ITEM #3 – Adjourn Into Closed Session 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 terms of a development agreement with SkyGroup, LLC.

Motion made by Ald. Slowinski, seconded by Ald. O'Meara, to adjourn into closed session at 7:48 P.M.

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

ITEM #4 – Reconvene Into Open Session for Possible Action on the Above Closed Session Item.

Motion made by Ald. O'Meara, seconded by Ald. Patton, to reconvene into open session at 8:01 P.M.

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

Motion made by Ald. O'Meara, seconded by Ald. Phillips, to approve the development agreement with SkyGroup, LLC.

Ayes: All Nays: None Motion Carried

Adjournment at 8:03 p.m.

DEVELOPMENT AGREEMENT

This Agreement is made and entered into by and between the **City of Stevens Point**, a municipal corporation located at 1515 Strongs Avenue, Stevens Point, Wisconsin 54481 (hereafter referred to as “City”) and **SkyGroup, LLC**, a Wisconsin limited liability company with offices located at 5233 Coye Drive, Stevens Point, Wisconsin 54481 (hereafter referred to as “Developer”).

(I) RECITALS.

A. WHEREAS, the City has, pursuant to authority granted in Wisconsin Statute Section 66.1105, created Tax Incremental District No. 9 (hereafter referred to as “TID No. 9”) for the purpose of job creation; and

B. WHEREAS, Developer has acquired the property (“Property”) legally described on the attached Exhibit A and the Property is located within TID No. 9; and

C. WHEREAS, Developer is willing to develop and provide substantial employment opportunities at the Property if it obtains financial assistance from the City as set forth herein; and

D. WHEREAS, the City is willing to provide financial assistance as set forth herein, and has determined that this Agreement is in the public interest.

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

(II) DEFINITIONS.

In this Agreement, the following terms have the following respective meanings unless the context hereof clearly requires otherwise:

A. “Act” means Wisconsin Statute Section 66.1105 which provides authority to the City to create TID No. 9.

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

C. “Available Tax Increment” means the amount of tax increment produced from the Project, received during the twelve (12) months preceding the payment date, remitted to the City commencing in 2015. Notwithstanding the foregoing, from the period beginning on the effective date of this Agreement and continuing until the completion of the Private Improvements, the Available Tax Increment shall incorporate only value attributable to the Private Improvements, and shall exclude any increment attributable to the value of the Property on which those

improvements are constructed. Provided however, upon the completion of the Private Improvements, the Available Tax Increment shall incorporate both the value attributable to the Private Improvements and the increment attributable to the value of the Property on which those improvements are constructed.

D. “City” means the City of Stevens Point, Wisconsin.

E. “Developer” means SkyGroup, LLC, a Wisconsin limited liability company.

F. “Development Costs” means the amounts expended by Developer for construction of the Private Improvements as required under Section (V)(C) of this Agreement which shall not be less than Twenty Million Dollars (\$20,000,000.00).

G. “Private Improvements” means each and all of the private improvements described on Exhibit B but generally includes all of the improvements constructed by Developer on the Property.

H. “Project” means the Property as improved by the Private Improvements.

I. “Property” means the parcel or parcels of real estate legally described on the attached Exhibit A.

J. “Tax Increment” means as defined in Section 66.1105(2)(i).

K. “TID No. 9” means the Tax Incremental District No. 9 created by the City.

(III) REPRESENTATIONS BY THE CITY.

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

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

B. The City has the authority to enter into this Agreement and carry out its obligations hereunder pursuant to the authority granted to it by the Wisconsin Constitution and State law.

C. The City proposes to provide assistance to Developer in accordance with the provisions of this Agreement.

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

E. To finance the cost of the activities to be undertaken by the Developer, the City proposes to use the Tax Increment generated by the Private Improvements for the payment of the

principal and interest due on the Municipal Revenue Obligation, subject to annual appropriations and to the extent such increment is available.

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

(IV) REPRESENTATIONS AND WARRANTIES BY DEVELOPER.

Developer represents and warrants that:

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

B. Developer controls the construction of the Private Improvements on the Property.

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

D. The construction of the Private Improvements on the Property by Developer would not occur but for the Tax Increment financing being provided by the City hereunder.

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

F. Developer understands and agrees that the Municipal Revenue Obligations of the authority hereunder will be payable only from the tax incremental funds created under the Act, and will never represent or constitute a general obligation debt or bonded indebtedness of the City, the State of Wisconsin, or any political subdivision.

(V) CONSTRUCTION OF PRIVATE IMPROVEMENTS.

A. Developer agrees that it will complete construction of the Private Improvements by December 31, 2016.

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

C. Developer shall spend not less than Twenty Million Dollars (\$20,000,000.00) on construction of the Private Improvements. Upon completion, the equalized market value of the Property as finally determined by the City Assessor's office shall increase by a minimum of Eighteen Million Five-Hundred Thousand Dollars (\$18,500,000.00). If upon completion of construction, the Private Improvements do not result in an increase in the equalized market value of the Property as required herein, then the Developer shall not be deemed to be in default under the terms of this Agreement, but the Available Tax Increment will be reduced accordingly.

(VI) EMPLOYMENT AT THE PROPERTY

Developer's affiliate, Skyward, Inc., a Wisconsin corporation, or its successor or assign ("Skyward") shall achieve a level of employment at the Property of 600 full-time-equivalent positions by January 1, 2024. In the event Skyward fails to achieve the required level of employment at the Property as provided herein, the Developer shall not be deemed to be in default under the terms of this Agreement. Notwithstanding the foregoing, if Skyward fails to achieve the required level of employment at the Property as provided herein, the Developer shall remit to the City that portion of the Available Tax Increment generated by the Property for each year of non-compliance in an amount equal to One Thousand Dollars (\$1,000.00) for each full-time equivalent position that Skyward has failed to achieve.

(VII) PROPERTY MAINTENANCE.

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

(VIII) PAYMENT IN LIEU OF TAXES.

In the event the Property, or any part of it, becomes exempt or partially exempt from property taxes, Developer shall pay to the City an amount equal to the property taxes that would otherwise have been paid as property taxes on the Property.

(IX) CITY'S OBLIGATION TO FINANCE DEVELOPMENT COSTS.

A. The City agrees to compensate Developer for Development Costs incurred by Developer to complete the Private Improvements.

B. The City's obligation to finance Development Costs shall be payable solely from Available Tax Increment generated by the Property and shall not be a charge against the City's general credit or taxing power.

C. Payments from City to Developer to finance Development Costs shall be made on a yearly basis on or before September 1 of each year.

D. Notwithstanding anything to the contrary contained in this Agreement, the City shall pay to Developer all of the Available Tax Increment in accordance with this Section.

E. The City's obligation to make payments to finance Development Costs shall terminate upon termination of this Agreement, termination of the TID NO. 9 as provided by the Act, or as otherwise provided herein..

F. Upon completion of the Private Improvements, Developer shall submit to City an itemized bill report of the Development Costs. If upon any payment from City to Developer pursuant to this Agreement the total sum of all such payments would exceed the total amount of the Development Costs, such payment shall be reduced by the amount of such excess. The City's obligation to finance Development Costs shall terminate following such payment.

G. Any payments made by the City to finance Development Costs shall constitute project costs of TID No. 9.

H. The City's obligation to finance Development Costs shall be contingent on Developer's continued compliance with the terms of this Agreement. The City shall not be obligated to make any payments to Developer, whether from Available Tax Increment or otherwise, when Developer or any assignee of Developer is in default under this Agreement.

(X) OBLIGATIONS OF THE CITY

Developer agrees to pay the City the sum of One Million Dollars (\$1,000,000.00) (the "Developer's Payment") within ninety (90) days following the date of this Agreement. The City acknowledges and agrees that the Developer's payment shall be utilized by the City to reimburse its costs and expenses in making the Property available to the Developer and completing the improvements to the intersection of E.M. Copps Drive and County Highway R as described below.

A. The City agrees, at its sole cost and expense, to make such improvements to the intersection of E.M. Copps Drive and County Highway R as necessary to accommodate the increased traffic generated by the Project and other projects in the area, including but not limited to the installation of traffic lights and dedicated turning lanes. In the event that the intersection improvements require the City's acquisition of land from Developer for right-of-way purposes, Developer shall provide up to but not in excess of one-half acre for such purposes for consideration of One Dollar (\$1.00). The City shall complete such improvements by July 1, 2016. In the event the City fails to complete the above described intersection improvements by July 1, 2016, the City shall pay Developer the sum of One Hundred Dollars (\$100.00) per day as liquidated damages for each day that said improvements remain uncompleted following July 1, 2016.

B. Developer anticipates developing not less than two private driveways accessing the Private Improvements from E.M. Copps Drive, at Developer's sole cost and expense. Upon completion of such private driveways, Developer may, at its option, dedicate and convey a portion of the main private driveway accessing the Private Improvements in the minimum length

necessary by law to permit the City to designate said portion of the private driveway as a public street. The City agrees to accept such public dedication and shall name the resulting public street “Skyward Drive.”

C. The City agrees to expand the public transportation route to provide for public bus service to the Private Improvements within three (3) months following the completion of said Private Improvements.

(XI) TRANSFER AND ASSIGNMENT.

This Agreement may be assigned by Developer without the consent of the City in the event of a transfer of the Property by Developer, provided Developer is not in default under the terms and conditions of this Agreement. Developer will provide the City with written notice not less than thirty (30) days following any such assignment. In the event of such an assignment by Developer of its interest in this Agreement to a person or entity expressly assuming Developer’s obligations under this Agreement, Developer shall thereby be released from any further responsibility hereunder, and the City agrees to look solely to such successor in interest of Developer for performance of such obligations.

(XII) RELOCATION.

A. Developer warrants that no person has been or will be a displaced person under Ch. 32 of the Wisconsin Statutes, Ch. Comm 202 of the Wisconsin Administrative Code, or other applicable law as a result of Developer’s actions related to the Property, the development or this Agreement.

B. Developer shall indemnify and defend the City from and against any and all liability, suits, actions, claims and demands for relocation benefits resulting from or related to the development, this Agreement or Developer’s actions related to the Property, the development or this Agreement.

(XIII) NOTICE OF DEFAULT

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

(XIV) REMEDIES.

In the event of default by Developer that remains uncured, the City, may take any one or more of the following actions:

A. The City may suspend their performance under this Agreement until it receives assurances from Developer, deemed adequate by the City, that Developer will cure its default and continue its performance under this Agreement.

B. In the case of a default which occurs prior to completion of the Private Improvements, the City may cancel the Agreement.

C. The City may take any action, including legal or administrative action, in law or equity, which may appear necessary or desirable to enforce performance and observance of any obligation, agreement or covenant of the Developer under this Agreement, including securing an injunction to prevent harm.

In the event of a default by the City that remains uncured, Developer may seek any remedy available to Developer under the terms of this Agreement or take any other action, including legal or administrative action, in law or equity, which may appear necessary or desirable to enforce performance and observance of any obligation, agreement or covenant of the City under this Agreement, including securing an injunction to prevent harm.

(XV) MISCELLANEOUS.

A. Developer shall indemnify, save harmless and defend the City and its respective officer, agents and employees from and against any and all liability, suits, actions, claims, demands, losses, costs, damages and expenses of every kind and description, including attorney costs and fees, for claims of any kind including liability and expenses in connection with the loss of life, personal injury or damage to property, or any of them brought because of any injuries or damages received or sustained by any persons or property on account of or arising out of the construction of the development to the extent caused by the gross negligence or willful misconduct on Developer's part or on the part of its agents, contractors, subcontractors, invitees or employees, at any time. Notwithstanding the foregoing, the liability of Developer to the City for any claim whatsoever related to this Agreement, including any cause of action arising in contract, tort, or strict liability, shall not exceed the total amount of the Available Tax Increment actually received by Developer from the City under the terms of this Agreement as of the date of any such claim. IN NO EVENT WILL DEVELOPER BE LIABLE FOR ANY LOST REVENUE, PROFIT, OR FOR SPECIAL, INDIRECT, CONSEQUENTIAL, INCIDENTAL, OR PUNITIVE DAMAGES HOWEVER CAUSED AND REGARDLESS OF THE THEORY OF LIABILITY EVEN IF DEVELOPER HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

B. This Agreement shall be governed by and construed in accordance with the laws of State of Wisconsin governing agreements made and fully performed in Wisconsin. This Agreement sets forth the entire understanding between the City, and Developer with respect to its subject matter, there being no terms, conditions, warranties, or representations with respect to its subject matter other than that contained herein. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their respective successors and assigns.

C. This Agreement may not be changed orally, but only by agreement in writing and signed by the parties hereto.

D. This Agreement superficially does not create any partnership or joint venture between the parties hereto, or render any party liable for any of the debts or obligations of any other party.

E. The headings set forth in this Agreement are for convenience and reference only, and in no way define or limit the scope or content of this Agreement or in any way affect its provisions.

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

G. This document contains the entire agreement between Developer and the City and it shall inure to the benefit of and shall be binding upon the parties hereto and the respective heirs, executives, successors and assigns. This Agreement may be modified only by a written Amendment signed by the parties, which Amendment shall become effective upon the recording in the Office of the Register of Deeds for Portage County.

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

(XVI) SEVERABILITY

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

(XVII) BINDING EFFECT.

Developer's obligations under this Agreement shall run with the land and be binding on future owners of any interest in the Property.

(XVIII) WARRANTY.

Developer warrants that it has good title to the Property and that it has full right and authority to enter into this Agreement.

(XV) **TERM.**

This Agreement shall be effective upon its execution by both parties and shall terminate upon termination of TID No. 9 or as otherwise provided in this Agreement.

The execution of this Agreement by the City was authorized by resolution of the city council for the City of Stevens Point, Wisconsin adopted on the ___ day of August, 2014.

IN WITNESS WHEREOF, the parties have duly executed this Agreement, or caused it to be duly executed as of the ___ day of August, 2014.

THE CITY OF STEVENS POINT, WISCONSIN

By: _____
Honorable Andrew J. Halverson, Its Mayor

Attest:

By: _____
John V. Moe, Its City Clerk

STATE OF WISCONSIN)
) SS
COUNTY OF PORTAGE)

Personally came before me this ___ day of August, 2014, Andrew J. Halverson, Mayor, and John V. Moe, City Clerk, of the above-named City of Stevens Point, Wisconsin, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and City Clerk, and acknowledged that they executed the foregoing instrument as such officers as the deed of said City of Stevens Point, Wisconsin, by its authority.

Notary Public, State of Wisconsin
My commission: _____

SKYGROUP, LLC
a Wisconsin limited liability company

By: _____
James R. King – Manager

Dated: _____

STATE OF WISCONSIN)
) SS
COUNTY OF PORTAGE)

Personally came before me this ___ day of August, 2014, James R. King, Manager of SkyGroup, LLC, a Wisconsin limited liability company, to me known to be the person who executed the foregoing instrument and to me known to be a Manager of SkyGroup, LLC, and acknowledged that he executed the foregoing instrument as such Manager of SkyGroup, LLC, by its authority.

Attorney Keith J. Pilger
Notary Public, State of Wisconsin
My commission is permanent.

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Lot 1 of Portage County Certified Survey Map No. 10442-47-22, as recorded in Volume 47 of Survey Maps, page 22, being part of the Fractional Northwest Quarter of the Northeast Quarter and part of the Fractional Northeast Quarter of the Northeast Quarter of Section 2, Township 23 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin.

EXHIBIT B
DESCRIPTION OF PRIVATE IMPROVEMENTS

Developer will construct a commercial office building consisting of approximately 200,000 square feet with an initial build-out to house 600 employees and future capacity for up to 1000 employees.

Board of Water and Sewerage Commissioners

Monday, August 11, 2014

12:00 P.M.

MINUTES

PRESENT:

Eugene Tubbs, Jim Cooper, Carl Rasmussen and Mae Nachman.

ALSO PRESENT:

Mayor Halverson, Joel Lemke, Gary Kuplic, Chris LeFebvre, Rob Molski, Mary Klesmith, Jaime Zdroik, and Angel Gebeau of AECOM.

EXCUSED ABSENCE:

Paul Adamski

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ADMINISTRATION

1. **Approval of minutes of the July 14, 2014 meeting.**

Motion made by Jim Cooper, seconded by Carl Rasmussen to approve the minutes of the July 14, 2014 Water & Sewerage Commission meeting.

Ayes all. Nays none. Motion carried.

II. **ACCOUNTING**

2. **Discussion and possible action on approval of department claims.**

Water Department

Eugene Tubbs presented the statement of claims for the Water Utility for July. The balance as of July 1, 2014 was \$4,871,860.82; the bank deposits recorded in July 2104 was \$1,375,595.15. Checks issued July 2014 numbered 48185 through 48274 were in the amount of \$930,756.71. The net balance on hand July 31, 2014 was \$5,316,699.26.

Wastewater Department

Eugene Tubbs presented the statement of claims for the Sewage Treatment Utility for July. The balance as of July 1, 2014 was \$5,368,702.89; the bank deposits recorded in July 2014 were \$591,416.35. Checks issued July 2014 numbered 30425 through 30488 were in the amount of \$412,590.78. The net balance on hand July 31, 2014 was \$5,547,528.46.

Stormwater Department

Eugene Tubbs also presented the statement of claims for the Stormwater Utility for July. The balance as of July 1, 2014 was \$664,339.49. The bank deposits recorded in July 2014 were \$181,171.61. Checks issued July 2014 meeting numbered 1190 through 1208 were in the amount of \$32,442.90. The net balance on hand July 31, 2014 was \$813,068.20.

Airport

Eugene Tubbs also presented the statement of claims for the Airport for July. The balance as of July 1, 2014 was \$190,324.92. The bank deposits recorded in July 2014 were \$48,903.96. Checks issued in July 2014

numbered 1200 through 1208 were in the amount of \$56,246.60. The net balance on hand July 31, 2014 was \$182,982.28.

Motion made by Mae Nachman, seconded by Jim Cooper to approve the department claims for the month of July 2014 as audited and read.

Ayes all. Nays none. Motion carried.

III. **WATER OPERATIONS**

3. **Report on water distribution operations.**

Gary stated the Bukolt Avenue Project is going good. All of the services; water, sewer, storm in the first block have been installed and will be pressure tested sometime this week. The Crew were working on getting caught up on maintenance items.

The water operation reports were distributed and reviewed.

A total of 162 valves have been operated in 2014.

4. **Report on water supply operations.**

Our pumpage in July was 215,463,000 gallons, a decrease of 5,350,000 gallons of water from July 2013.

5. **Discussion and possible action on a contract with S.E.H. for design review and inspection services.**

AT&T wants to upgrade their equipment on the water tower and the costs involved to have the plans and specs reviewed would be about \$6,000. New state statutes have been put in place stating utilities have to be more accommodating to their tenants/cellphone providers.

Joel stated rather than have them pay upfront for engineering services we modified their monthly payment to increase \$600 a month so within 10 months the cost of the engineering services would be recouped and the payment stays there perpetually.

Joel received quotes for design review and inspection services.

Motion made by Carl Rasmussen, seconded by Mae Nachman to approve a contract with S.E.H. for design review and inspection services in the amount of \$6,500.00 for review/inspections and \$500.00 for 360 virtual closeout tour.

Ayes all. Nays none. Motion carried.

6. **Discussion and possible action on Hyland property acquisition.**

Joel stated at the last meeting the Commission acted that if the other half of the purchase would be covered by Schmeekle Reserve/Green Circle that they would consider paying for the remaining. Schmeekle Reserve Foundation would pay \$37,500 and the Green Circle \$37,500 and the remaining would be \$75,000. If the grant would have been awarded our portion would only be \$37,500 but that was not awarded.

It would be at least another year before another grant would be available to apply for.

The Commission would like to see if any other parties would be interested in going in on the purchase of the property or if the total cost could be split 3 ways.

No action taken at this time.

7. **Discussion and possible action on improvements for exhaust stacks at Well #11.**

We are involved in a Peak Shaving Program/Load Shedding Program with W.P.S. where they can remotely turn on our emergency generators in order to get off of their grid when necessary and we receive \$2100/month discount for this. To continue to be able to be involved in the Load Shedding Program and receive the discount, we need to meet clean air requirements set by the E.P.A. The only requirement we don't meet is that our exhaust stacks need to be 10' above the building's highest roof line.

Motion made by Mae Nachman, seconded by Jim Cooper to approve Staab Construction to make improvements to the exhaust stacks at Well #11 in the amount of \$17,720.00.

Ayes all. Nays none. Motion carried.

IV. SEWAGE TREATMENT OPERATIONS

8. Report on Collection System Maintenance.

Rob stated everything is going well. The crew worked on rebuilding manholes and attended a conference in Marshfield where they were able to learn about new technologies. The new televising trailer is ready to go. They will be concentrating on televising in the fall/winter months.

The sewer report for the month of July was reviewed by the Commission.

9. Report on sewage treatment operations.

Chris stated PERS is just finishing up on Final Clarifier #3. Staab Construction has started the influent pumping/pH control project. The #3 digester re-cert pump has been replaced by L.W. Allen. The annual inspection of our biogas generator by Martin Machinery has been completed. They did turn up the generator from 180 kw to 190 kw, the generator and engine are rated to pump 210 kw. We've also had a filamentous outbreak due to high loadings from the brewery when they are doing their cider process.

B.O.D. (6 average ppm), Phosphorus (0.507 average ppm) and Suspended Solid (12.25 average ppm) limits were met for the month of July 2014.

10. Discussion and possible action on recommending award of the High Strength Waste Project.

The project was rebid last Friday. Miron Construction came in as the low bid. Joel explained we did take out the force main portion of the contract and we have decided to complete the work that is involved with that in order to save money. We are also requesting approval to complete the force main portion outside of the contract at an approximate cost of somewhere between \$200,000 to \$300,000.

The reason we believe we can save money on the force main portion is that we are looking into changing the route of where the force main was originally designed to be installed. The new route would take the force main away from the roadway more and be able to direct bury some of it.

The Commission acted last month on an agreement with the brewery that was needed in order to move forward on this project. This project is contingent on

that agreement being fully executed which would mean the brewery would be financially responsible for half of the project costs.

Motion made by Mae Nachman, seconded by Jim Cooper to award the High Strength Waste Project to the low bidder Miron Construction in the amount of \$1,060,200.00 and the approval to complete the force main portion outside of the contract at an approximate cost not to exceed \$300,000.00.

Ayes all. Nays none. Motion carried.

V. STORMWATER OPERATIONS

11. Report on Stormwater operations.

Gary stated the finished another swale north of Fleet Farm and it was received very well by property owners in the area. They are now working on a run-off project ton First St. and John's Drive.

Rob stated his crew worked on catch basins and manholes.

VI. DIRECTOR'S REPORT

12. Verbal Report.

Joel stated three jobs (Wastewater Chief Operator, Customer Service Rep. and Sewer Collections Crew) were advertised and we received quite a few applications.

Next month Joel will be bringing a proposal to the Commission for modifications to the office that would allow two people to sit up front by the window.

Joel also congratulated Gary Kuplic on 34 years of service to the department.

The next Water & Sewerage Commission meeting will be on Monday, September 8, 2014 at noon.

VII. ADJOURNMENT

Motion made by Carl Rasmussen to adjourn the meeting.

Ayes all. Nays none. Motion carried.

MEETING ADJOURNED

1:03pm

BOARD OF WATER AND SEWERAGE COMMISSIONERS

EUGENE TUBBS, SECRETARY



Police and Fire Commission

City of Stevens Point
1515 Strongs Avenue
Stevens Point WI 54481

David Schleibs, President
(715) 346-1508

July 22, 2014
9:04 a.m.

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

Also

Present: Interim Fire Chief Bob Finn, Assistant Chief Joe Gemza,
Interim Assistant Chief Jeff Davis, Mayor Andrew Halverson,
Alderperson Tony Patton, Records Bureau Supervisor
Lee Ann Spoon, Brian Kowalski – Stevens Point Journal

2. **Discussion, with possible action, Fire Department eligibility list**

On July 17th Todd Becken turned in his retirement letter to Chief Finn, which is effective August 31, 2014.

The Fire Department interviewed Firefighter/Paramedic applicants on July 17 and 18, 2014. Seventeen applicants were invited to interview and nine scheduled an interview. Only four applicants showed up to interview.

Chief Finn compiled a list of qualified entry level candidates for approval. The names are submitted in alphabetical order for recommendation to be placed on the 2014 eligibility list. Chief Finn would like to bring Michael Kasper to the Police and Fire Commission to interview before the Commission on August 5th.

Commissioner Wescott moved, seconded by Commissioner Kirschling, to approve the eligibility list as presented and to approve the start of a firefighter/paramedic recruitment process.

Ayes, all; nays, none. Motion carried.

3. **Adjourn into closed session**

Adjourn into closed session (approximately 9:15 a.m.) pursuant to Wis. Statute Section 19.85 (1) (c) (considering employment, promotion, compensation, or performance evaluation data of any public employee

over which the governmental body has jurisdiction or exercises responsibility) for Fire Chief Candidate status for possible advancement in the selection process.

Commissioner Wescott moved, seconded by Commission Kirschling, to adjourn into closed session.

Ayes, all; nays, none. Motion carried.

4. Reconvene into open session for possible action.

No action was taken.

5. Continued review and discussion of next steps in the Fire Chief Recruitment

The Commission will continue the vetting process of Fire Chief Applicants and look to schedule the next meeting to continue with the recruitment process in later July or early August.

6. Adjournment

The meeting adjourned at 10:20 a.m.



Police and Fire Commission

City of Stevens Point
1515 Strongs Avenue
Stevens Point WI 54481

David Schleibs, President
(715) 346-1508

July 29, 2014

8:06 a.m.

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

Also

Present: Mayor Andrew Halverson, Records Bureau Supervisor
Lee Ann Spoon, Brian Kowalski – Stevens Point Journal

2. **Adjourn into closed session**

Adjourn into closed session (approximately 8:00 a.m.) pursuant to Wis. Statute Section 19.85 (1) (c) (considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility) for Fire Chief Candidate status for possible advancement in the selection process.

Commissioner Wescott moved, seconded by Commission Hanson, to adjourn into closed session.

Ayes, all; nays, none. Motion carried.

3. **Adjournment**

The meeting adjourned at 11:47 a.m.



Police and Fire Commission

City of Stevens Point
1515 Strongs Avenue
Stevens Point WI 54481

David Schleibs, President
(715) 346-1508

July 31, 2014
1:02 p.m.

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

Also

Present: Mayor Andrew Halverson, Alderperson Tony Patton, Records Bureau Supervisor Lee Ann Spoon

2. **Adjourn into closed session**

Adjourn into closed session (approximately 1:00 p.m.) pursuant to Wis. Statute Section 19.85 (1) (c) (considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility) for Fire Chief Candidate status for possible advancement in the selection process.

Commissioner Schleibs moved, seconded by Commission Wescott, to adjourn into closed session.

Ayes, all; nays, none. Motion carried.

3. **Adjournment**

The meeting adjourned at 3:03 p.m.

Minutes
Transportation Commission Meeting
Conference Room- 2700 Week Street
July 23, 2014

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

Excused: N/A

Others present: Transit Manager; Susan Lemke

The meeting was called to order at 5:31 p.m. by Chairperson Nichole Lysne.

1. Approval of the May 22, 2014 Transportation Commission minutes.

Ald. Mary Stroik moved to approve the minutes of the May 22, 2014 Transportation Commission meeting. Karalyn Peterson seconded. Ayes all; Nays none; Motion carried.

2. May 2014 claims/ financial report.

Ald. Jeremy Slowinski moved to approve the May 2014 claims/financial report. Fred Hopfensperger seconded. Ayes all; Nays none; Motion carried.

3. June 2014 claims/financial report.

Elbert Rackow moved to approve the June 2014 claims/financial report. Ald. Jeremy Slowinski seconded. Ayes all; Nays none; Motion carried.

4. Manager's Report.

Staff Update: All positions are currently filled and the new Bus Operators are trained.

Semi-Annual Ridership/Revenue Report: Overall ridership decreased 4.35% in the first quarter of 2014. Adult, Disabled, Youth, Transfers and Point Plus categories demonstrated increases in ridership; however the Senior and University ridership categories were down. 141,942 rides were provided by Stevens Point Transit in the first six months of 2014. Revenue generated increased by \$4,507.85.

Elbert Rackow made a motion to approve the Manager's report and place it on file. Ald. Jeremy Slowinski seconded. Ayes all; Nays none; Motion carried.

7. Next meeting date.

August 21, 2014 – 5:30 p.m.

8. Adjournment.

The meeting was adjourned at 6:15 p.m.

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

	Bal June 1, 2014	Receipts	Disbursements	Bal June 30, 2014
GENERAL OPERATING CASH	\$5,924,724.89	\$5,246,079.09	\$5,498,947.21	\$5,671,856.77
WATER & SEWER (CASH & INVEST) (includes airport, transit , stormwater)	\$11,651,523.92	\$1,123,118.91	\$1,057,527.67	\$11,717,115.16

INVESTMENTS	Bal June 1, 2014	TRANSFER IN	TRANSFER OUT	Bal June 30, 2014
GENERAL	\$20,341,971.00	\$3,000,000.00	\$4,500,000.00	\$18,841,971.00
SPECIAL REVENUE	\$576,858.23	\$0.00	\$0.00	\$576,858.23
DEBT SERVICE	\$0.00	\$0.00	\$0.00	\$0.00
CAPITAL PROJECTS	\$9,603,924.15	\$0.00	\$0.00	\$9,603,924.15
ENTERPRISE	\$184,130.49	\$0.00	\$0.00	\$184,130.49
TRUST	\$212,321.81	<u>\$0.00</u>	<u>\$0.00</u>	\$212,321.81
TOTALS	<u>\$30,919,205.68</u>	<u>\$3,000,000.00</u>	<u>\$4,500,000.00</u>	<u>\$29,419,205.68</u>

EXPENDITURES:	BUDGET	YTD	%	REVENUES	BUDGET	YTD	%
GENERAL GOVT	\$3,297,058.00	\$1,586,188.04	48.11%	GENERAL	\$21,637,033.00	\$14,339,294.37	66.27%
POLICE	\$5,015,554.00	\$2,456,987.26	48.99%				
FIRE	\$4,741,710.00	\$2,405,040.36	50.72%				
PUBLIC WORKS	\$5,738,205.00	\$2,594,351.32	45.21%				
PARK & REC	\$1,999,709.00	\$914,964.55	45.75%				
CAPITAL PROJECTS	\$649,674.00	\$168,545.92	25.94%				
DEBT SERVICE	\$5,310,624.00	\$3,102,042.00	58.41%				
YTD TARGET	50.00%						

August 13, 2014

Members of the Common Council
Stevens Point, Wisconsin

The following appointments are recommended for your consideration.

Smongeski Health Fund Committee – (Expires 08-31-15)

Reappoint Marge Molski	800 St. Paul Street
Reappoint William Zimdars	3924 Doolittle Drive, Apt.6

Redevelopment Authority - Unexpired Term R. Stroik – (Expires 12-31-15)

Appoint Ald. Michael Phillips	3225 Mary Street
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Housing Authority – OPEN – (Expires 12-31-14)

Appoint Larry Schroda	1300 Briggs Street
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Your confirmation of these appointments would be appreciated.

Andrew J. Halverson, Mayor

Dear Mr Mayor
My name is Larry Ashoda
I would like to serve on the Board of directors
I had served on the for 13 yrs
I served at the Hi rise for over 24 yrs
I served on Tenant Council at Hi rise
I like to help the tenants
I serve on CCW two boards

Thank you

Larry Ashoda
1300 Briggs Court #906
Stevens Point WI 54481
715-344-9160