

**City of Stevens Point
REGULAR COUNCIL MEETING**

Council Chambers
County-City Building
1516 Church St

December 15, 2014
7:00 P.M.

Mayor Gary Wescott, presiding

ROLL CALL: Ald. Doxtator, Walther, O'Meara, Wiza, M. Stroik, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.

EXCUSED: Ald. Slowinski

ALSO

PRESENT: Clerk Moe; C/T Ladick; City Attorney Beveridge; Directors Schatschneider, Ostrowski, Schrader, Joel Lemke, Police Chief Ruder, Fire Chief Finn, VA Officer Clements; Mayoral Assistant Pazdernik; Nate Enwald Portage County Gazette; Brandi Makuski, City Times.

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

Mayor Wescott stated agenda item #25 would be removed as it is not ready to be brought forward to Council for discussion or vote.

Mayor Wescott stated that if there are 3 or more candidates running for Mayor or Aldermanic office, the Mayor would need to call a statutory special session of the Common Council sometime during the first full week of January.

Clerk Moe stated nomination papers are due January 6, 2015 and by January 9, 2015 a special meeting of the Common Council will need to convene to determine if a primary will be held.

Mayor Wescott reported that two weeks ago he was sworn in as Mayor and it has been a very busy time. He thanked the Alderpersons and Directors for their support and dedication during this transition.

Mayor Wescott expressed his gratitude and honor in being able to serve the community and citizens of Stevens Point. He added during this holiday season, to please support the charity of one's choice.

3. Consideration and possible action of the minutes of the Regular Common Council meeting of November 17, 2014 and the Special Common Council meeting of November 17, 2014.

Ald. Moore **moved**, Ald. R. Stroik seconded, to approve the minutes and actions of the Regular common Council meeting of November 17, 2014 and the Special Common Council meeting of November 17, 2014.

Call for the vote: Ayes: All.
Nays: None. Motion adopted.

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.**

Duane J. Miskulin, Chairman of the Portage County Allied Military Council presented Police Chief Ruder with a plaque in deep appreciation of his unwavering support and efforts given to the Veterans Community of Portage County. He reported Chief Ruder was instrumental in the Guns and Hoses fundraising event which benefitted the Never Forgotten Honor Flight.

Chief Ruder stated this recognition was unexpected and expressed his gratitude in serving and representing the City of Stevens Point Police Department.

Bob Fisch, 1033 Smith Street, spoke on behalf of Poky Pedaling of Stevens Point. He stated that UW Stevens Point was missing from the list of UW System bike friendly campuses. Mr. Fisch pointed out bike riding reduces gas emissions, eases parking, traffic and pedestrian concerns.

Ald. R. Stroik referred to agenda item #24 concerning the Redevelopment Authority. He questioned if one of the RA appointments would be replacing former Mayor Halverson and requested an update.

Mayor Wescott stated Mr. Halverson is still a member of the RA. He reported this was discussed and Mr. Halverson would be submitting his resignation.

Ald. R. Stroik said he would like to see this as a future agenda item to ensure the Chief Elected Official still has a prominent role on the RA.

Ald. Moore stated he is running for Mayor and provided a brief personal history. He stated that he has been honest and sincere as an Alderperson and those traits are what he will bring to the Mayor's office.

Consideration and Possible Action on the Following:

6. **To accept and place on file the amended petition for annexation of 4943 State Hwy 66 (Rita Suchon-Klein and Richard and Barbara Suchon), from the Town of Hull to the City of Stevens Point.**

Ald. O'Meara **moved**, Ald. Patton seconded, to approve the amended annexation of 4943 State Highway 66 from the Town of Hull to the City of Stevens Point.

Call for the vote: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, M. Stroik, Wiza, O'Meara, Walther, Doxtator.
Nays: None. Motion adopted.

7. **Minutes and actions of the Plan Commission meeting of December 1, 2014.**

Ald. R. Stroik asked why the proposal that had been originally approved is being changed. Ald. R. Stroik **moved**, Ald. O'Meara seconded, to pull item #2 for further discussion.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

Ald. Moore **moved**, Ald. Trzebiatowski seconded, to approve the minutes and actions of the Plan Commission meeting of December 1, 2014 with the exception of item #2.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

Ald. R. Stroik requested more information from Director Ostrowski on agenda item #2.

Director Ostrowski stated the original plan included a masonry enclosure, which offered greater protection and aesthetics to the area. A request was made to amend the plan to a chain link fence which would allow easier enlargement or modification to the area.

Mayor Wescott stated the amended plan was approved three to two by the Plan Commission.

Mr. Bierman stated the request to amend the plan was to provide allowance in the storage of recyclables.

Ald. R. Stroik asked why this was not discussed at the committee level rather than amend it after committee. He said this was always meant to be a concrete enclosure.

Ald. R. Stroik **moved**, Ald. O'Meara seconded, to deny the request to change the enclosure from cement to chain link.

Ald. Moore stated at the Plan Commission meeting he asked specifically whether the chain link fence and slats would meet all the City requirements and was told it would.

Call for the Vote: Ayes: O'Meara, Wiza, Trzebiatowski, R. Stroik, Phillips.
Nays: Doxtator, Walther, M. Stroik, Patton, Moore.
Mayor Wescott cast the deciding vote Aye. Motion Adopted.

8. Public Hearing – Conditional Use Permit – Request to construct two 6-unit apartment buildings at 3301-09 Bush Street (Parcel ID 2308-04-1001-15).

Mayor Wescott declared the public hearing open.

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

9. Resolution on the above.

Ald. Patton **moved**, Ald. Wiza seconded to approve the resolution to construct two 6-unit apartment buildings at 3301-09 Bush Street.

Call for the vote: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, M. Stroik, Wiza, O'Meara, Walther, Doxtator.
Nays: None. Motion adopted.

10. **Public Hearing – Request from the City of Stevens Point to rezone four unaddressed commercial properties within the vicinity of Church Street, Strongs Avenue, Park Street and Depot Street from B-4 Commercial District to B-3 Central Business District (Parcel ID's: 2408-32-4020-03, 2408-32-4034-03, 2408-32-4040-12, and 2408-32-4900-01).**

Mayor Wescott declared the public hearing open.

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

11. **Ordinance Amendment on the above.**

Ald. R. Stroik **moved**, Ald. Doxtator seconded, to approve the request to rezone four unaddressed properties in the vicinity of Church Street, Strongs Avenue, Park Street and Depot Street.

Call for the vote: Ayes: Ald. Doxtator, Walther, O'Meara, Wiza, M. Stroik, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion adopted.

12. **Minutes and actions of the Personnel Committee meeting of December 8, 2014.**

David Worzalla, 4129 Bluebird Drive, spoke on the boot allowance and asked the City Council to consider an increase in the allowance from \$150.00 to \$175.00 to offset applicable withholding taxes.

Ald. Wiza **moved**, Ald. M. Stroik seconded, to pull agenda item #4 for further discussion.

Ald. Patton **moved**, Ald. Wiza seconded, to pull agenda item #2 for further discussion.

Ald. O'Meara **moved**, Ald. Moore seconded, to approve the minutes and actions of the Personnel Committee with items #2 and #4 held for discussion.

Call for the Vote: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, M. Stroik, Wiza, O'Meara, Walther, Doxtator.
Nays: None. Motion adopted.

Discussion of agenda item #4: Ald. Wiza stated it would be a disadvantage to tax employees purchasing steel toed boots for work. He said the average tax rate would necessitate increasing the boot allowance to \$187.50.

Ald. Wiza **moved**, Ald. M. Stroik seconded, to increase the taxable boot allowance from \$150.00 to \$200.00.

Mayor Wescott called upon C/T Ladick to provide additional financial information.

C/T Ladick stated depending on the individual's tax rate, \$200.00 should cover the extra expense. He said the Parks Department would see an approximate \$500.00 increase and the Department of Public Works would see an approximate \$2000.00 increase and both Directors thought they would be able to accommodate the increase.

Ald. O'Meara stated his concern was the assumption that boots wore out yearly and safety shoes are an employee non-reimbursed business expense that are nontaxable.

C/T Ladick replied that this involves more than just safety toed boots and that it includes other work related clothes, and the IRS determination of what is safety and what is everyday work clothing.

Ald. R. Stroik asked when the allowance is paid to the employee and how this affects new employees.

C/T Ladick stated reimbursement would occur once a new employee satisfactorily completes their probationary period. Regular employees would be reimbursed the second pay period in January.

Ald. R. Stroik clarified that a new employee would still be required to have safety toed boots for their first day of employment with reimbursement to be made after completion of the probationary period.

Call for the Vote: Ayes: Ald. Doxtator, Walther, O'Meara, Wiza, M. Stroik, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion adopted.

Discussion of agenda item #2: Ald. Patton asked if it was permissible for City employees to campaign on work time. Mayor Wescott referred the question to City Attorney Beveridge.

Atty. Beveridge stated it was complicated due to the various regulations that could apply, such as state statutes, ordinances and administrative policies. He said with regard to Administrative Policy for City employees, it states verbatim, "Employees should not engage in political activity during working hours or while acting in the capacity of an employee of the City. This shall include but is not limited to the distribution or wearing of political badges, buttons or printed matter or their placement on City property. In addition, employees on a leave of absence to run in or participate in a campaign may not solicit assistance or support from any City employee during working hours or on City property." Atty. Beveridge said the current policy would forbid campaigning during work hours. He asked for Clerk Moe to clarify the ordinances and state statutes with regard to City employees campaigning during work hours.

Clerk Moe replied Wisconsin campaign finance law states that an individual who worked for a government entity or anyone campaigning during work would most likely be seen as an infringement of campaign finance law. It would be considered a donation from a corporation, so that would have to be investigated.

Ald. Patton stated if anyone knows of this occurring, they should contact the City Clerk's Office.

Mayor Wescott said if individuals have any knowledge of a City employee who is campaigning, as discussed, the contact should be the City Attorney or the City Clerk.

Ald. O'Meara **moved**, seconded by Ald. Walther to approve the actions of the Personnel Committee.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

13. Minutes and actions of the Public Protection Committee meeting of December 8, 2014.

Ald. Wiza **moved**, Ald. M. Stroik seconded, to approve the minutes and actions of the Public Protection meeting of December 8, 2014.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

14. Minutes and actions of the Board of Public Works meeting of December 8, 2014.

Ald. Walther **moved**, Ald. Moore seconded, to approve the minutes and actions of the Board of Public Works meeting of December 8, 2014.

Ald. Patton questioned if the brine spreader would be utilized on secondary streets to avoid the rut situation that occurred last year.

Director Schatschneider stated that once the brine spreader is operational, it would be used on the main roads. He said the department is always looking for improvement in winter road conditions on secondary roads.

Ald. Trzebiatowski asked if the brine was meant for more precautionary and preventative than an actual ice or snow removal.

Director Schatschneider stated the brine is applied before the storm arrives so it can work from the bottom up and is suppose to reduce salt usage by 35%.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

15. Minutes and actions of the Finance Committee meeting of December 8, 2014.

Ald. Patton **moved**, Ald. O'Meara seconded, to approve the minutes and actions of the Finance Committee meeting of December 8, 2014.

Call for the Vote: Ayes: Ald. Doxtator, Walther, O'Meara, Wiza, M. Stroik, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion adopted.

16. Development Agreement with Ki Mobility, to construct a new manufacturing facility within Tax Incremental Financing District #8.

Bob Larson, 3283 Lindbergh Avenue, asked how Alderpersons could vote on an agreement without knowing what the dollar amount would be.

Mayor Wescott stated the agreement is what has been reported to Alderpersons in executive session with some minor language changes. He reported the agreement has been reviewed by other staff and the City Attorney.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, to approve the development agreement with Ki Mobility.

Ald. Patton said this was the type of development that will help the City.

Attorney Beverage stated the reason there was no actual dollar amount noted in the agreement is because the incentive is indexed to the amount of property tax and the assessment has not been determined. He said this is not an upfront cash incentive the City is paying but rather a type of refund of a portion of the taxes paid.

Call for the Vote: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, M. Stroik, Wiza, O'Meara, Walther, Doxtator.
Nays: None. Motion adopted.

17. Minutes and actions of the Board of Water and Sewerage Commissioners meeting of December 8, 2014.

Ald. R. Stroik **moved**, Ald. O'Meara seconded, to approve the minutes and actions of the Board of Water and Sewerage Commissioners of December 8, 2014.

Call for the Vote: Ayes: Ald. Doxtator, Walther, O'Meara, Wiza, M. Stroik, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion adopted.

18. Minutes and actions of the Police and Fire Commission meeting of November 11, 2014 and the special Police and Fire Commission meetings of November 20 and December 2, 2014.

Ald. Wiza **moved**, Ald. Phillips seconded, to approve the minutes and actions of the Police and Fire Commission meeting of November 11, 2014 and the Special Police and Fire Commission meeting of December 2, 2014.

Ald. Wiza asked if there were minutes from the December 2, 2014 meeting.

Mayor Wescott replied the minutes of December 2, 2014 were not completed and the Council would not be voting on those at this time.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

19. Minutes and actions of the Board of Park Commissioners meeting of December 3, 2014.

Ald. O'Meara **moved**, Ald. Doxtator seconded, to approve the minutes and actions of the Board of Park Commissioners meeting of December 3, 2014.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

20. Minutes and actions of the Transportation Commission meeting of December 4, 2014.

Ald. M. Stroik **moved**, Ald. Moore seconded, to approve the minutes and actions of the Transportation Commission meeting of December 4, 2014.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

21. Minutes and actions of the Smongeski Health Fund annual meeting of December 9, 2014.

Ald. Moore **moved**, Ald. Wiza seconded, to approve the minutes and actions of the Smongeski Health Fund annual meeting of December 9, 2014.

Call for the Vote: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, M. Stroik, Wiza, O'Meara, Walther, Doxtator.
Nays: None. Motion adopted.

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

Ald. Moore **moved**, Ald. Walther seconded, to accept the Statutory Monthly Financial report of the Comptroller-Treasurer.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

23. Election of Assessor.

Ald. R. Stroik nominated, Ald. Patton seconded, Steve Shepro for the position of Assessor.

Ald. Wiza **moved**, Ald. Phillips to close the nominations and cast a unanimous ballot for Mr. Shepro.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

24. Mayoral Appointments:

Redevelopment Authority – (Expires 12/31/19)
Reappoint Catherine Dugan – 615 Sommers Street
Appoint John Gardner – 1308 Wisconsin Street

Transportation Commission – OPEN – (Expires 04/30/17)
Appoint Thomas Bertram – 3291 Orchard Lane

Municipal Court Oversight Committee – OPEN – (Expires 04/30/16)
Appoint Alderperson Hans Walther – 2424 Ellis Street

Space and Properties – OPEN – (Expires 04/30/16)
Appoint Mayor Gary W. Wescott – 1515 Strongs Avenue

Bob Larson, 3283 Lindbergh Avenue, asked why the appointments were made for 5 years.

Mayor Wescott replied that these were the statutory requirements and it would be ill-advised to leave the Redevelopment Authority seat vacant for 5 months.

Ald. Wiza asked if the Space and Properties appointment is actually for Portage County but would advise/act in all City related matters.

Mayor Wescott replied yes.

Ald. R. Stroik **moved**, Ald. Trzebiatowski seconded, to approve all the appointments.

Call for the Vote: Ayes: All.
Nays: None. Motion adopted.

25. **Motion to enter into closed session (approximately 8:00 p.m.) pursuant to section 19.85(1)(e) Wis. Stats., for the deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, relating to the negotiating of the potential sale of 933 Michigan Avenue (Former Mid-State Technical College) with the University of Wisconsin-Stevens Point.**

Mayor Wescott stated this item was pulled.

26. **Adjournment.**

The meeting was adjourned at 7:57 p.m.