

**City of Stevens Point
REGULAR COUNCIL MEETING**

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

**January 19, 2015
7:00 P.M.**

Mayor Gary Wescott presiding

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

ALSO

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

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

Mayor Wescott reported agenda item #8 has been removed because additional engineering research is needed.

Mayor Wescott stated that January 19th is the day we remember and commemorate the life and accomplishments of Martin Luther King, Jr. He recited a quote from Martin Luther King, Jr., "The function of education is to teach one to think intensively, to think critically, that intelligence plus character is the true goal of education."

3. 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.

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

Cathy Dugan, 615 Somers Street, stated she wanted to make the City Council aware of the high rate of poverty and low paying jobs in the City. She urged the Council and community members to support and incentivize those employers who pay well.

Reid Rocheleau, 408 Cedar, Whiting, referred to the January 1, 2015 Stevens Point Journal article about roadway safety, specifically the Division and Franklin Street intersection. He urged City Council and the Plan Commission to fix the problem to insure pedestrian safety.

Mary Kneebone, 5718 Sandpiper Drive, thanked Ald. Trzebiatowski for his service to the City and residents of District #7. She added that she is running for District #7 Alderperson and looks forward to hopefully joining the Council in serving the people of the City of Stevens Point.

Mary McComb, 2100 Elk Street, announced her candidacy for 9th District Alderperson. She provided a brief personal history and stated that she looks forward to enriching her commitment to the City of Stevens Point and the residents of District #9.

Barb Jacob, 1616 Depot Street, stated she is running for Mayor and 9th District Alderperson. She encouraged audience members to get to know all the candidates and above all to vote.

5. Presentation of a book from the Steering Committee of the Bird City Wisconsin Program.

Mayor Wescott introduced Professor Emeritus Kent Hall.

Professor Hall stated the steering committee for Bird City Wisconsin has chosen Stevens Point to receive a gift of appreciation, a book entitled Birds of Wisconsin, by Owen Gromme. He added that Mayor Wescott and the City of Stevens Point was the first city to receive a Bird City designation.

Consideration and Possible Action on the Following:

6. Resolution – Proclaiming May 9, 2015 International Migratory Bird Day.

Ald. Wiza **moved**, Ald. O’Meara seconded, to approve the resolution proclaiming May 9, 2015 as International Migratory Bird Day.

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

***7. Ordinance Amendment: Creating Section 24.52 of the Revised Municipal Code (Prohibition of the Possession of Marijuana) – to correct a numbering error in the RMC.**

Mayor Wescott reported this is a housekeeping item to correct a numbering error. He stated City Attorney Beveridge and Clerk Moe discovered the error and it is being corrected.

Ald. Slowinski **moved**, Ald. M. Stroik seconded, to approve the numbering error in the RMC Ordinance Amendment of 24.52.

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

8. Memorandum of understanding with Portage County regarding the installation of Goerke Tower Radio Equipment.

This item was removed from the agenda.

9. Consideration and possible action of the minutes of the Regular Common Council meeting of December 15, 2014 and the Special Common Council meeting of January 8, 2015.

Ald. O’Meara **moved**, Ald. Moore seconded, to approve the action of the minutes of the

Regular Common Council meeting of December 15, 2014 and the Special Common Council meeting of January 8, 2015.

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

10. Minutes and actions of the Plan Commission meeting of January 5, 2015.

Reid Rocheleau, 408 Cedar, Whiting, urged the City Council to keep public hearings at City Council meetings rather than at the Plan Commission level. He said the current system works well. He cited attendance of Alderpersons at the Plan Commission meetings as a reason to keep the hearings at the Council level.

Carl DeBolt, 2312 Linden Street, representing Carl D's Soft Serve, requested a sign variance for his business. He is requesting the signs be larger than 64 feet or that he be allowed to have a three-sided sign.

Mayor Wescott restated the request before Council would be to amend what the Plan Commission recommended to the original request of 100 feet or a three-sided sign.

Mr. DeBolt replied yes.

Dir. Ostrowski stated the request would need to return to the Plan Commission if it was a three-sided sign. He stated the 100 square foot sign would be very large on the corner.

Ald. Moore **moved**, Ald. O'Meara seconded, to pull agenda item #3 from the Plan Commission minutes January 5, 2015.

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

Ald. Phillips **moved**, Ald. Trzebiatowski seconded, to approve the remainder of the minutes and actions of the Plan Commission of January 5, 2105.

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

Discussion of item #3: Ald. Wiza asked Dir. Ostrowski what was the total square footage of the three-sided sign.

Dir. Ostrowski stated the smaller side was angled and there was no graphic on that side.

Mr. DeBolt stated that there is nothing on the back of the one side.

Ald. O'Meara **moved**, Ald. Walther seconded, to refer this request back to the Plan Commission.

Ald. R. Stroik stated this request had been postponed once and will not affect the driving public. He said the third side would normally be blank and Mr. DeBolt would be providing advertising for his business at his own cost. Ald. R. Stroik urged Council not to delay this request.

Ald. Moore asked Dir. Ostrowski if there is any legal reason the request would need to go back to Plan Commission.

Dir. Ostrowski replied no. He said the sign variance has already been acted on by the Plan Commission.

Ald. Wiza agreed with Ald. R. Stroik. He said this is an approved sign from the Plan Commission that consists of three 64-square foot sides and the only difference is that one side will be black or blank. Ald. Wiza stated he would oppose Ald. O'Meara's motion.

Call for the Vote: Ayes: Ald. O'Meara.
Nays: Ald. Doxtator, Walther, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore. Motion failed.

Ald. R. Stroik **moved**, Ald. Trzebiatowski seconded, to approve the sign that had been approved at the Plan Commission, amended to allow three sides not to exceed 64 square feet each side. He said this is due to the fact this is an odd corner, granting the business owner the opportunity to market his business.

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

11. Public Hearing – Conditional Use Permit – Request from Kwik Trip to construct and operate a carwash on a portion of 3256 Church Street (Parcel ID 2308-04-2008-34).

Mayor Wescott declared the public hearing open.

Brent Dusek, 1626 Oak Street, LaCrosse, representing Kwik Trip, stated he was available to answer questions. He said that Kwik Trip is requesting to add a carwash.

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

12. Resolution on the above.

Ald. Phillips stated the six foot high fence would not be tall enough to buffer noise. He would like to see it amended to a minimum of eight feet.

Dir. Ostrowski agreed. He said this would be a reasonable condition.

Ald. Phillips **moved**, Ald. O'Meara seconded, to approve the request to add a carwash to the Kwik Trip, amending the height of the fence to be as high as the blowers/dryers.

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

13. Public Hearing – Amend the Revised Municipal Code to hold required public hearings at the City Plan Commission level (Section 23.01(16)(b)(3) of the RMC).

Mayor Wescott declared the public hearing open.

Reid Rocheleau, 408 Cedar, Whiting, stated this should not be changed. He said this is the forum for public hearings.

Cathy Dugan, 615 Sommers St., stated she is pleased to have the opportunity to have the public hearings at the Plan Commission. She said it provides more opportunity for citizen input before it goes to City Council.

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

14. Ordinance Amendment on the above.

Ald. Trzebiatowski **moved**, Ald. R. Stroik seconded, to approve the amendment to the RMC to hold public hearings at the Plan Commission level.

Ald. Trzebiatowski said these hearings can be reviewed on the public access channel via the internet.

Ald. R. Stroik stated he disagreed with Mr. Rocheleau. He said better decisions can be made with better discussion early in the process and would encourage Alderpersons to vote in favor of this amended ordinance.

Ald. Moore stated he agrees with this. His concern was with the language and would like to see the wording clarified.

Ald. O'Meara stated this was a reasonable proposal and would support it.

Dir. Ostrowski stated if a motion is made to amend it to require that public hearings be held at the Plan Commission level first, this change will need to occur after the February meeting. He said the Common Council shall make the final decision on the conditional use permit after the Plan Commission conducts a public hearing and makes a recommendation on the matter.

Ald. Moore **moved**, Ald. Phillips seconded, to amend the RMC to hold public hearings at the Plan Commission level and the Common Council shall make the final determination after the Planning Commission conducts a public hearing and provides a recommendation to the Council.

Call for the Vote on the Amendment:

Ayes: All.

Nays: None. Motion adopted.

Call for the Vote: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, Slowinski, M. Stroik Wiza, O'Meara, Walther, Doxtator.

Nays: None. Motion adopted.

15. Minutes and actions of the Personnel Committee meeting of January 12, 2015 and the minutes of the Special Personnel Committee meeting of January 8, 2015.

Ald. Phillips **moved**, Ald. Walther seconded, to approve the minutes and actions of the Personnel Committee meeting of January 12, 2015 and the Special Personnel Committee meeting of January 8, 2015.

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

16. Minutes and actions of the Finance Committee meeting of January 12, 2015.

Ald. Patton **moved**, Ald. O'Meara seconded, to approve the minutes and actions of the Finance Committee of January 12, 2015.

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

17. Minutes and actions of the Public Protection Committee meeting of January 12, 2015.

Ald. Slowinski **moved**, Ald. M. Stroik seconded, to approve the minutes and actions of the Public Protection Committee meeting of January 12, 2015.

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

18. Ordinance Amendment – Provide citation authority to the Comptroller/Treasurer (Section 24.27(3)6 of the RMC).

Attorney Beveridge stated this provides authority to the Treasurer to issue citations only with regard to the ordinances that pertain to his office.

Ald. R. Stroik **moved**, Ald. O'Meara seconded, to approve the ordinance amendment to provide citation authority to the Comptroller/Treasurer.

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

19. Ordinance Amendment – Citizens right to address the Common Council (Section 2.33 of the RMC).

Ald. Wiza **moved**, Ald. Moore seconded, to approve the ordinance amendment for citizens' right to address the Common Council.

Ald. Trzebiatowski stated some of the wording was ambiguous and he would rather see a specific two or three minute minimum time requirement allotted to speakers.

Mayor Wescott stated he understood that all committees would allow for either a three or five minute time period, allowing the Chair the flexibility to adjust the speaking time based on the number of speakers.

Attorney Beveridge stated the use of the word "consent" indicates that limiting the speaking time would have to be by a majority vote of the Common Council. He said the ordinance can be changed in the future and allows flexibility to the Chair to deal with different types of situations.

Clerk Moe stated in drafting the ordinance, he wanted to insure flexibility.

Mayor Wescott stated the goal was 1) public input; 2) re-empower the committee Chairs, to have ownership of the committees and conduct business.

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

20. Minutes and actions of the Board of Public Works meeting of January 12, 2015.

Ald. O'Meara **moved**, Ald. Moore seconded, to approve the minutes and actions of the Board of Public Works meeting of January 12, 2015.

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

21. Ordinance Amendment – Changing the eastern boundary of 30-minute parking and bus stops on Briggs Street (Sections 9.05(e)7 and 9.05(m)14 of the RMC).

Ald. R. Stroik **moved**, Ald. Doxtator seconded, to approve the ordinance amendment of 30 minute parking and bus stops.

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

22. Minutes and actions of the Board of Water and Sewerage Commissioners meeting of January 12, 2015.

Ald. Slowinski **moved**, Ald. Doxtator seconded, to approve the minutes and actions of the Board of Water and Sewerage Commissioners meeting of January 12, 2015.

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

23. Minutes and actions of the Police and Fire Commission meeting of December 2, 2014 and the Special Police and Fire Commission meeting of December 16, 2014.

Ald. Patton **moved**, Ald. Moore seconded, to approve the minutes and actions of the Police and Fire Commission meeting of December 2, 2014 and the Special Police and Fire Commission meeting of December 16, 2014.

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

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

Ald. Moore **moved**, Ald. M. Stroik seconded, to accept the statutory monthly Financial report of the Comptroller/Treasurer.

Call for the Vote: Ayes: All.

Nays: None. Motion adopted.

25. **Mayoral Appointments:**
Police and Fire Commission
Redevelopment Authority
Historical Preservation/Design Review Commission
Board of Review
Board of Appeals
Ambulance Contract Negotiating Team
Supplemental Poll Workers

Ald. Trzebiatowski **moved**, Ald. Doxtator seconded, to approve the Mayoral appointments.

Ald. R. Stroik urged Council members to look at having the chief elected official be on the Redevelopment Authority.

Mayor Wescott supports this recommendation but this should be a decision for the next Mayor and for the next City Council.

Ald. Moore asked if the appointments include the supplemental poll workers.

Clerk Moe replied that is correct, as poll workers have to be Mayoral appointments.

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

26. **Adjourn into closed session (approximately 8:30 P.M.) pursuant to Wisconsin Statutes 19.85(1)(e) (deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session) and Wisconsin Statutes 19.85(1)(g) (conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation or is likely to become involved) on the following:**
- A. **Discussion on negotiating the potential sale/lease of 933 Michigan Avenue (Former Mid-State Technical College) with the University of Wisconsin-Stevens Point.**
 - B. **Discussion on the potential issuance of a jurisdictional offer for the acquisition of a portion of the property located at 104 Second Street North.**

Ald. Wiza **moved**, Ald. Moore seconded to move into closed session at 8:12 p.m.

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

27. **Adjournment.**

The meeting was adjourned at 8:55 p.m.