

**City of Stevens Point
REGULAR COUNCIL MEETING**

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

**June 15, 2015
7:00 P.M.**

Mayor Mike Wiza, Presiding

ROLL CALL: Ald. Doxtator, Mrozek, Ryan, Oberstadt, Van Stippen, Slowinski, Kneebone, Patton, McComb, Phillips, Morrow.

ALSO

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

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

Mayor Wiza stated he had the opportunity to attend the June 14, 2015 Flag Day festivities and witnessed a flag retirement ceremony. He also thanked Ald. Mrozek for the suggestion of alderpersons walking in the July 4, 2015 parade, which everyone will participate in.

Mayor Wiza reported the seawall project is completed and will save citizens the cost of obtaining flood insurance.

Mayor Wiza stated he has met with C/T Ladick concerning the capital budget in hope of providing the alderpersons with plenty of lead time to review the budget.

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.

No one wished to address the Mayor and City Council.

4. Presentation by Kent Hall – Bird City Wisconsin.

Kent Hall stated Stevens Point was the very first city in Wisconsin to receive the Bird City Award and now has received the "High Flier Award" for the past four years. He presented the plaque to Mayor Wiza.

5. Presentation by Director Joel Lemke regarding the City Airport.

Joel Lemke, Director of Public Utilities and Transportations and Jason Draheim, Airport Manager, provided City Council members with an overview of the Airport budget and services. Mr. Draheim stated the airport provides facilities for private, recreational and

corporate planes, medical flights, cargo deliveries and agricultural applications. He said it was a rally point for medical and law enforcement personnel. Its tenants include 5 corporate and 45 private planes.

Mr. Draheim reported the Airport expenditures were \$500,000 of which \$350,000 in revenue is generated in sales of fuels and rent. It depends on \$150,000 from the tax levy.

Ald. Doxtator asked if there were any events scheduled.

Mr. Draheim said they would be hosting the first Hamburger Fly-In from 5 p.m. to 7p.m. [August 12, 2015] and would provide a good opportunity for everyone to attend the event and tour the Airport.

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

Neil Prendergast, 1924 Plover Street, stated there is a concern for bicyclists turning left onto Hoover Avenue. He stated that the left turn requires crossing four lanes of traffic, which could be very dangerous to bike riders. Mr. Prendergast proposed a bicycle underpass.

Consideration and Possible Action on the Following:

7. Notice of Circumstances of Claims - Patty Amman, Christian and Kristin Hemmrich, Steven and Elizabeth Kerlin, Rick D. Kozickowski, Brenda Lackey and Catherine Scheder, Tim Lange, Carroll B. Lodahl and Ruth E. Lodahl, Ronald and Diane Luth, Bruce and Sheryl Makuski, Susan and Karl Malnory, Brian and Cynthia Mandeville, Larry and Connie Raatz, John and Michele Sandona, Thomas and Shirley Skillman, Martin and Ann Zblewski.

City Attorney Beveridge reported more detailed claims will be filed in approximately four weeks and action on this item will be postponed until next month.

8. Review the financial feasibility analysis of revenue sharing from TIF Districts 5 and 7 to TIF District 6, proceed with phase two of the Ehlers proposal, and continue the process of amending the project plans for TIF Districts 5 and 7.

Greg Johnson, Ehlers, provided the feasibility analysis for the three TIF Districts. He stated TIF #6 is the downtown TIF and was created in 2006 and at the end of 2014, it showed a negative balance.

Mr. Johnson stated TIF District #5 is the north side business district which was created in 2005 and showed a positive balance of \$91,000 and could donate to TIF District #6. Likewise, Mr. Johnson reported that TIF District #7, the Travel Guard development, created in 2008 had a positive fund balance and could donate to District #6; however, it has a developer's clause.

Mayor Wiza said it was time to get the City's TIF house in order.

Mr. Johnson stated both TIFs 5 and 7 are in a position to donate funds to TIF #6 to improve cash flow.

Ald. Phillips **moved**, Ald. Patton seconded, to approve proceeding with phase II of the Ehlers proposal and continue the process of amending the project plans for TIF Districts 5 and 7.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Patton, Kneebone, Slowinski, Van Stippen, Oberstadt, Ryan, Mrozek, Doxtator.
Nays: None. Motion adopted.

9. Minutes of the Regular Common Council meeting of May 18, 2015 and the Special Common Council meeting of June 1, 2015.

Ald. Phillips **moved**, Ald. Mrozek seconded, to approve the minutes of the Regular Common Council meeting of May 18, 2015 and the Special Common Council meeting of June 1, 2015.

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

10. Minutes and actions of the Plan Commission meeting of June 1, 2015.

Ald. Morrow **moved**, Ald. Kneebone seconded, to approve the minutes and actions of the Plan Commission meeting of June 1, 2015.

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

11. Resolutions – Conditional Use Renewals:

- **Amber Grill to operate a tavern at 1001 Amber Avenue**
- **Arbuckle's to operate a tavern at 1320 Strongs Avenue**
- **Pete's Sports Bar to operate a tavern at 200 Division Street**
- **Papa Joe's Bar to operate a tavern at 233 Division Street**
- **Middletown Grill to operate a tavern at 2301 Church Street**
- **Tech Lounge to operate an electronic amusement business at 1028-36 Main Street**
- **Express Recycling LLC to operate a recycling center at 2608 Water Street**

Ald. Slowinski **moved**, Ald. Doxtator seconded, to approve all of the conditional use renewals.

Call for the vote: Ayes: Ald. Doxtator, Mrozek, Ryan, Oberstadt, Van Stippen, Slowinski, Kneebone, Patton, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

12. Resolution – Conditional Use – 3324 Church Street – to operate a car wash and associated activities.

This item was postponed.

13. Ordinance Amendment – Rezone the property located at 405 Prentice Street (Parcel ID 2408-29-4010-36) from "R-3" Single and Two Family Residence District to "R-5" Multiple Family II Residence District.

Ald. Doxtator **moved**, Ald. Phillips seconded, to rezone the property located at 405 Prentice Street from "R-3" Single and Two Family Residence District to "R-5" Multiple Family II Residence District.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Patton, Kneebone, Slowinski, Van Stippen, Oberstadt, Ryan, Mrozek, Doxtator.
Nays: None. Motion adopted.

14. Minutes and actions of the Public Protection Committee meeting of June 8, 2015 and the actions of the Special Public Protection Committee of June 15, 2015.

Ald. Mrozek **moved**, Ald. Ryan seconded, to approve the minutes and actions of the Public Protection Committee meeting of June 8, 2015 and the actions of the Special Public Protection Committee meeting of June 15, 2015.

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

15. Minutes and actions of the Board of Public Works meeting of June 8, 2015.

Ald. McComb stated she would like to see more roundabouts considered in the future for intersections.

Ald. Morrow **moved**, Ald. McComb seconded, to approve the minutes and actions of the Board of Public Works meeting of June 8, 2015.

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

16. Ordinance Amendment – Bicycle Ways and No Parking amendments to a section of Brilowski Road (Section 9.12(q)17 and 9.05(g)314 of the RMC).

Ald. Slowinski **moved**, Ald. Oberstadt seconded, to approve the ordinance amendment for Bicycle Ways and No Parking to a section of Brilowski Road.

Call for the Vote: Ayes: Ald. Doxtator, Mrozek, Ryan, Oberstadt, Van Stippen, Slowinski, Kneebone, Patton, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

17. Preliminary Resolution – For the engineering, design and construction of a concrete seawall to meet Federal Emergency Management Agency (FEMA) freeboard requirements.

Mayor Wiza stated this is the preliminary resolution which would provide notice of the special assessment for the construction of the seawall.

Ald. Patton asked Dir. Schatschneider what the cost would be per household.

Dir. Schatschneider replied the cost would be \$1,253.05.

Ald. Doxtator **moved**, Ald. Phillips seconded, to approve the Preliminary Resolution for the engineering, design and constructions of a concrete seawall to meet FEMA freeboard requirements.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Patton, Kneebone, Slowinski, Van Stippen, Oberstadt, Ryan, Mrozek, Doxtator.
Nays: None. Motion adopted.

18. Minutes and actions of the Personnel Committee meeting of June 8, 2015.

Ald. Phillips **moved**, Ald. Mrozek seconded, to approve the minutes and actions of the Personnel Committee meeting of June 8, 2015.

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

19. Ratification of the 2015-2016 Stevens Point Police Officer's Organization Tentative Labor Agreement.

Ald. Mrozek **moved**, Ald. Doxtator seconded, to approve the ratification of the 2015-2016 Stevens Point Police Officer's Organization tentative Labor Agreement.

Call for the Vote: Ayes: Ald. Doxtator, Mrozek, Ryan, Oberstadt, Van Stippen, Slowinski, Kneebone, Patton, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

20. Minutes and actions of the Finance Committee meeting of June 8, 2015.

Dave Schleihs, President of the Police and Fire Commission thanked the Finance Committee for the support to address the working conditions in the Police Department with the much needed renovations to safety and security.

Ald. Slowinski **moved**, Ald. Kneebone seconded, to approve the minutes and actions of the Finance Committee meeting of June 8, 2015.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Patton, Kneebone, Slowinski, Van Stippen, Oberstadt, Ryan, Mrozek, Doxtator.
Nays: None. Motion adopted.

21. Ordinance Amendment – Establishing a grant program related to Reserve Class B licenses (Section 12.14(21) of the RMC).

Barb Jacob, 1616 Depot Street, urged City Council members to postpone the vote on this ordinance in order to receive more input from other tavern/restaurant owners as well as the Tavern League.

Ald. Mrozek asked for clarification on item #6, on the improvements.

City Attorney Beveridge said this would include the building and the fixtures within the building, new/upgraded plumbing and cooking installations and can be for new construction or renovation of an existing property. He added the major changes were items #5 and #6 where the applicant will have already made the improvements and would submit to staff, rather than City Council, proof for reimbursement.

Mayor Wiza stated this ordinance is to approve the grant program. The City Council can approve or disapprove the grant application for any business that would apply.

Ald. Patton asked if there was a current business owner that was interested in the \$10,000 license, and would the City run into problems if the license was granted to a local entrepreneur rather than a franchise establishment.

Mayor Wiza stated that the cost of a \$10,000 license is prohibitive to many new businesses and they will often times postpone start up to wait for a regular license to become available. He stated that while the City did not want to promote more taverns, it did want to provide opportunities for new business growth which would demonstrate 51% of the sales is in food and not liquor.

Ald. Slowinski stated he was unsure of the fairness of the 51% food service requirement and asked how this would be enforced. He would favor postponing a vote on this ordinance.

Ald. McComb stated she agreed with Ald. Slowinski. She added the 51% food requirement might eliminate a very unique and vibrant tavern that could draw people downtown.

Ald. Mrozek asked Clerk Moe if there were 4 reserve licenses.

Clerk Moe stated there were five licenses; one has been granted already so there are four available currently.

Ald. Mrozek asked if this would flood the City with license applicants and require the City Council to allow or deny licensing.

Clerk Moe stated this ordinance was brought forward to put the City on a level playing field with surrounding municipalities, as most already have something like the proposed ordinance in effect. He added we wanted something substantial that would require the businesses to make a commitment to the City in making the needed improvements for the grant application.

Ald. Kneebone said she would like to see this postponed a month in order to consider other perspectives. She asked when the license comes up for renewal, if it comes up as a \$500.00 renewal.

Mayor Wiza replied yes, unless a new owner would purchase the bar then it would revert back to the \$10,000.00.

Ald. Slowinski stated he would consider eliminating the 51% threshold because he would not want to exclude a unique tavern from the opportunity of opening and generating business because they would have to serve food 51% of the time. He stated he would favor postponement to allow for more public input, as this item did come up quickly.

Ald. Patton asked if a business were to stop meeting the 51% food requirement, if there was a way to rescind the grant monies applied for by the business. He wondered if the business were to sell 51% food, would it be feasible to offer them a beer and wine license rather than a full liquor license.

Mayor Wiza stated currently anyone can apply for a regular liquor license as well as a reserve license. He stated no one to date has applied for a reserve license. Mayor Wiza stated with a regular license, the applicant would be placed on a waiting list and when a license became available, City Council would consider the application and it could be issued. He stated it is not uncommon for individuals to wait for a regular liquor license to become available.

Ald. Van Stippen stated he would like to see clarification on the definition of moveable property.

Ald. Ryan stated he received comments from residents of his district who indicated more bars or taverns were not needed and adding more taverns would increase vandalism, garbage and quality of life issues. He feels the 51% food requirement is appropriate. Ald. Ryan asked about offering an incentive to potential business owners who would revitalize an existing building rather than build new. He asked if it was possible to do a review of the 51% threshold to insure the business is adhering to the food stipulation.

Mayor Wiza stated this would be used to equalize out the cost of a reserve license and a regular liquor license. He added monitoring the 51% requirement could cost more in staff time and documentation.

Clerk Moe stated the more restrictions placed on businesses applying for this license, the less desirable the opportunity becomes.

C/T Ladick stated this proposal was based on neighboring municipalities applications which are straight forward and relatively simple to meet the requirements.

Mayor Wiza stated the Council does not need to do anything with this ordinance and the reserve licenses are still available.

Ald. Ryan asked C/T Ladick why the City of Stevens Point would mirror an ordinance the Village of Plover has when the two municipalities have different make-up and character, specifically historical preservation/sites. He also asked for clarification on revitalizing existing empty buildings versus new construction to increase the levy limits.

C/T Ladick stated both are desirable, but the State's levy limits are tied to new construction.

Ald. Phillips **moved**, Ald. Slowinski seconded, to postpone consideration of the ordinance amendment until more information can be gathered.

Call for the Vote: Ayes: Ald. Mrozek, Ryan, Oberstadt, Van Stippen, Slowinski, Kneebone, Patton, McComb, Phillips, Morrow.
Nays: Ald. Doxtator. Motion adopted.

22. Minutes and actions of the Police and Fire Commission meeting of May 5, 2015 and the Special Police and Fire Commission meeting of May 19, 2015.

Ald. Patton **moved**, Ald. Morrow seconded, to approve the minutes and actions of the Police and Fire Commission meeting of May 5, 2015 and the Special Police and Fire Commission meeting of May 19, 2015.

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

23. Minutes and actions of the Board of Park Commissioners meeting of June 3, 2015.

Ald. Doxtator commended the Board of Park Commissioners and Director Tom Schrader on the great improvements to Iverson Park.

Ald. McComb **moved**, Ald. Doxtator seconded, to approve the minutes and actions of the Board of Park Commissioners meeting of June 3, 2015.

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

24. Minutes and actions of the Transportation Commission meeting of May 21, 2015.

Ald. Patton **moved**, Ald. Phillips seconded, to approve the minutes and actions of the Transportation Commission meeting of May 21, 2015.

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

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

Ald. Slowinski **moved**, Ald. Mrozek seconded, to approve and place on file the Statutory monthly Financial Report of the Comptroller-Treasurer.

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

**26. Mayoral Appointments:
Municipal Court Oversight Committee**

Ald. Phillips **moved**, Ald. Oberstadt seconded, to approve the Mayoral Appointment to the Municipal Court Oversight Committee.

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

27. Adjournment.

The meeting was adjourned at 8:33 p.m.

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.