

**City of Stevens Point
REGULAR COUNCIL MEETING**

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

**December 21, 2015
7:00 P.M.**

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

ALSO

PRESENT: C/T Ladick; City Attorney Beveridge; City Clerk Moe; Directors Ostrowski, Lemke, Schatschneider; Fire Chief Finn; Police Chief Skibba; City Assessor Shepro; HR Manager Jakusz.

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

Due to the length of the agenda, Mayor Wiza stated he would limit his comments and wished everyone Merry Christmas and Happy Holidays. He added the City is in fine shape.

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 speak.

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

Bob Larson, 3283 Lindbergh Avenue, stated he wished to speak about item #15. He stated he spoke with the Salvation Army representatives and urged alderpersons to postpone future discussion concerning shelters until all information can be disseminated and all input from business owners and citizens can be received.

Mayor Wiza stated the agenda has changed slightly, as item #15 for a conditional use permit for Evergreen Community Initiatives was pulled and will not be discussed. He added item #39, the Resolution for Investment Tax Credit for solar power, has also been pulled as Congress has extended the tax credit.

Reid Rocheleau, 408 Cedar Street, Whiting, stated the proposed warming center can be handled by the Salvation Army and was against the new warming center.

5. Presentation by Nick Hylla, Executive Director of Midwest Renewable Energy Assoc. regarding MREA services and overview.

Nick Hylla, Executive Director of Midwest Renewable Energy Association, (MREA), provided an overview of the services. He stated this is a nonprofit service which

started approximately 1990. He added they currently have an agreement with the U.S. Department of Energy concerning the rooftop solar challenge. Mr. Hylla stated the cost of solar panels have come down 60% in the last several years and Congress has extended the solar tax credit, which will allow up to 30% of the cost of the panels as a tax credit.

Consideration and Possible Action on the Following:

6. Minutes of the Regular Common Council meeting of November 16 and the Special Common Council meeting of November 16, 2015.

Ald. Phillips **moved**, Ald. Morrow seconded, to approve the minutes of the Regular Common Council meeting of November 16, 2015 and the Special Common Council Meeting of November 16, 2015.

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

7. Minutes and actions of the Plan Commission meeting of December 7, 2015.

Ald. Kneebone **moved**, Ald. Ryan seconded, to approve the minutes and actions of the Plan Commission meeting of December 7, 2015.

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

8. Resolution – Conditional Use Permit – Investors Community Bank, northwest corner of County Road R and County Highway HH – Request a sign variance to construct two off-premise and multiple on-premise freestanding signs.

Ald. Morrow **moved**, Ald. Kneebone seconded, to approve the conditional use permit for Investors Community Bank for a sign variance to construct two off-premise and multiple on-premise freestanding signs.

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

9. Ordinance Amendment – Annexation – 1230 North Second Drive from the Town of Hull.

John Holdridge, Chairman, Town of Hull, stated from the Town's perspective there are still outstanding legal issues, which will be discussed with Mr. Erwin. He stated there are also process concerns which involve the Portage County Planning and Zoning as well as Department of Natural Resources.

Mark Erwin, 533 Second Street North, stated he is very much looking forward to being part of the City of Stevens Point.

Ald. Morrow **moved**, Ald. Slowinski seconded, to approve the ordinance amendment – Annexation – 1230 North Second Drive from the Town of Hull.

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

10. Ordinance Amendment – Zoning - Establish a permanent zoning classification of "B-1" Neighborhood Business District, "B-2" Central Business Transition District, or "B-4" Commercial District for 1230 North Second Drive.

Director Ostrowski stated the recommendation was the zoning classification of "B-4".

Ald. Morrow **moved**, Ald. Phillips seconded, to approve the ordinance amendment – zoning establish a permanent zoning classification of "B-4" commercial district for 1230 North Second Drive.

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

11. Ordinance Amendment – Annexation – Municipality owned property located west of 5707 U.S. Highway 10 East, known as a portion of Elizabeth Avenue from the Town of Hull.

Ald. Slowinski **moved**, Ald. Ryan seconded, to approve the ordinance amendment – annexation to the municipality owned property located west of 5707 U.S. Highway 10 East, known as a portion of Elizabeth Avenue from the Town of Hull.

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

12. Ordinance Amendment – Annexation – 5707 U.S. Highway 10 East from the Town of Hull.

John Holdridge, Chairman, Town of Hull, stated this is clearly a commercial parcel and the Town's concern is the need to involve the neighboring owners in the development of the property.

Ald. Kneebone **moved**, Ald. Van Stippen seconded, to approve the ordinance amendment – annexation – 5707 U.S. Highway 10 East from the Town of Hull.

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

13. Ordinance Amendment – Zoning – Establish a permanent zoning classification of "B-5" Highway Commercial District for 5707 U.S. Highway 10 East.

Mayor Wiza stated the B-5 classification offers the most flexibility and oversight regarding what can and cannot be built. He added that the neighboring property owners would be included in discussions concerning development of the property.

Ald. Kneebone **moved**, Ald. Slowinski seconded, to approve the ordinance amendment- zoning – establish a permanent zoning classification of “B-5” Highway Commercial District for 5707 U.W. Highway 10 East.

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

14. Resolution – Conditional Use Permit – Storage Unlimited LLC, 3256 Church Street – Request to operate an indoor storage facility.

Mayor Wiza stated the Plan Commission recommended approval with the recommended conditions.

Ald. Slowinski **moved**, Ald. Doxtator seconded, to approve the conditional use permit for Storage Unlimited LLC, 3256 Church Street, request to operate an indoor storage facility with the seven stated conditions as recommended by staff.

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

15. Resolution – Conditional Use Permit – Evergreen Community Initiatives, representing the Franciscans Downtown, 1000 Main Street – Request to operate a warming shelter (temporary housing).

This item was pulled and will be reconsidered at a future date.

16. Minutes and actions of the Board of Public Works meeting of December 14, 2015.

Mayor Wiza stated several individuals wished to speak on items #16, #17 and #18, and stated it would be appropriate to speak under agenda just one agenda item, item #18. He added there were some changes to the minutes, the fourth paragraph from the bottom, the Poky Pedaling Committee needed to be corrected to read the Bicycle Pedestrian Advisory Committee.

Mayor Wiza stated the comment about the parking structure “off the table” should be changed to read “not off the table.”

Ald. Phillips **moved**, Ald. Oberstadt seconded, to approve the minutes and actions of the Board of Public Works meeting of December 14, 2015 with the above noted changes and pull item #4 for further discussion.

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

Discussion of item #4:

Mayor Wiza stated this was the request by Sentry Insurance to add angle parking on Ellis Street between Strongs Avenue and Church Street.

Ald. Phillips stated Sentry Insurance does a lot of research with regard to their parking concerns and is a good corporate neighbor that supports the City. Ald. Phillips stated the parking request needs to be approved.

Mayor Wiza stated an email was sent to the alderpersons from Tori Jennings, who is on the Bicycle Pedestrian Advisory Committee. In her email, she stated it would not significantly affect the bicycle route connectivity.

Ald. McComb stated she neglected to envision the big picture and the request from Sentry Insurance for angle parking should be approved and would have a smaller impact than she anticipated to the overall Bike-Ped plan.

Ald. Phillips **moved**, Ald. Morrow seconded, to direct staff to complete all necessary documents to move forward to create angle parking on the north side of Ellis Street between Church Street and Strongs Avenue.

Call for the Vote: Ayes: Majority.
Nays: Minority. Motion adopted.

17. Ordinance Amendment – Traffic – No Parking restriction on sections of Ellis Street (Sections 9.05 (i) and (j) of the RMC).

Ald. Van Stippen **moved**, Ald. Oberstadt seconded, to approve the ordinance amendment for traffic with a no parking restriction on sections of Ellis Street (Sections 9.05 (i) and (j)).

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

18. Relocation Order – Country Club Drive / Hoover Road Grade Separation Project.

Mayor Wiza stated additional emails were received from Maher Water and those were distributed in hard copy to the alderpersons.

Danielle Maher-Baron, 2901 Hoover Street, stated it is mandatory for her to have access off of Hoover to be able to run her business. She added it would affect day to day customer service with orders.

Sam Baron, 2901 Hoover Street, stated over 18,000 customers are serviced through the business and stated on any given day between seven to 10 vehicles need access to Coye. He added if the Hoover Street access is removed, Maher Water will lose four parking spaces. Mr. Baron stated it will be difficult to operate day to day without the

Hoover Street access and will add to any confusion with the business address versus street location.

Mayor Wiza asked if there was a second entrance other than Coye, would that assist Maher Water.

Mr. Baron stated the traffic from Donaldson's without any foreseeable traffic lights, would make access to and from Maher a challenge if the Hoover entrance is removed.

Bill Maher, 1100 Brawley Street, stated when the building plans were developed, the access to Hoover was planned. He added 14 to 17 semi-trucks per month deliver to the business and without the Hoover access the potential of blocking Coye increases.

Bonnie Maher, 1100 Brawley Street, stated she is opposed to this plan because this will place a hardship on conducting business for Maher Water. Ms. Maher also cited if Hoover is closed and the Maher address is listed as Hoover Drive, how does that affect emergency responders. She stated she thinks there are other options that could be explored and requested this go back to Public Works for reconsideration.

Attorney Brian Formalla, Anderson-O'Brien Law Firm, stated no one has asked that this project stop, but to reconsider and engage in more conversation on finding an acceptable solution for both parties.

Director Schatschneider clarified the difference between agenda item #18 and #19 and they are two separate projects.

Ald. Patton questioned if the Hoover access will be affected if the Council approves either #18 or #19.

Director Schatschneider stated no.

Mayor Wiza stated the design alternatives were discussed and a recommendation made at the Board of Public Works meeting. He also stated the comments from the Maher Corporation, property owners and Attorney Formalla, would be taken into consideration before the final draft is completed.

Attorney Formalla stated as long as the conversation can continue for the Maher Corporation, everyone would be satisfied.

Ald. Slowinski **moved**, Ald. Oberstadt seconded, to approve the relocation order of Country Club Drive/Hoover Road Grade Separation Project.

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

19. Right of Way Plat – Country Club Drive / Hoover Road Grade Separation Project.

Ald. Slowinski **moved**, Ald. Oberstadt seconded, to approve the right of way plat for

the Country Club Drive/Hoover Road Grade Separation Project.

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 December 14, 2015 and the actions taken at the Special Finance Committee meeting of December 21, 2015.

C/T Ladick recapped the actions taken at the Special Finance Committee meeting of December 21, 2015 and included the authorization of the Fire Department to apply for two grants as well as a revised cost estimate for real estate acquisition services.

Ald. Slowinski **moved**, Ald. Van Stippen seconded, to approve the minutes and actions of the Finance Committee meeting of December 14, 2015 and the actions taken at the Special Finance Committee meeting of December 21, 2015.

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

21. Resolution – Designating Public Depository and Authorizing Withdrawal of City Monies.

Ald. Phillips **moved**, Ald. Kneebone seconded, to approve the resolution designating a public depository and authorizing withdrawal of city monies.

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

22. Resolution - Committing Funds to 247 (Edgewater), 248 (Special Assessment Fund) and 249 (Willett Ice Arena Fund).

C/T Ladick stated the monies in these funds are designated for these specific items.

Ald. Mrozek **moved**, Ald. Van Stippen seconded, to approve the resolution committing funds to Edgewater and the Willett Ice Area.

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

23. Resolution – Authorizing Membership in the Cities and Villages Mutual Insurance Company.

C/T Ladick stated this was the final step in switching insurance companies for coverage in 2016.

Ald. Slowinski asked if this needs to come before the Council again.

C/T Ladick stated the commitment is for one year, and if needed, the City could decide to access insurance through another provider.

Ald. Van Stippen **moved**, Ald. Ryan seconded, to approve the resolution authorizing membership in the Cities and Villages Mutual Insurance Company.

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

24. Revised agreement with MSA Professional Services, Inc. for Real Estate Services, Right of Way Acquisition for the Hoover Grade Separation Project in the amount of \$59,050.00.

Ald. Slowinski **moved**, Ald. McComb seconded, to approve the revised agreement with MSA Professional Services, Inc. for real estate services, right-of-way acquisition for the Hoover Grade Separation in the amount of \$59,050.00

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

25. Minutes and actions of the Public Protection Committee meeting of December 14, 2015.

Ald. Ryan **moved**, Ald. Mrozek seconded, to approve the minutes and actions of the Public Protection Committee meeting of December 14, 2015.

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

26. Ordinance Amendment – Polling Place Change for District #4 – Move from Madison School, 600 Maria Dr. to Mid-State Technical College, 1001 Centerpoint Dr. (Sec. 15.03(4) of the RMC).

Ald. Oberstadt **moved**, Ald. Van Stippen seconded, to approve the polling place change for District #4 from Madison School to Mid-State Technical College.

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

27. Minutes and actions of the Personnel Committee meeting of December 14, 2015.

Ald. Kneebone moved, Ald. Oberstadt seconded, to approve the minutes and actions of the Personnel Committee meeting of December 14, 2015 and pull item #1 for further discussion.

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

Discussion of item #1:

Ald. Kneebone stated this item is a matter of fairness to employees, reassuring them their jobs are secure if they perform their duties as prescribed and follow all the rules of the workplace.

Ald. Patton concurs with Ald. Kneebone's comments.

Ald. McComb reiterated both Ald. Patton and Kneebone's comments. She added at-will employment is not fair; managers currently use these proposed changes in advising and evaluating staff and the process regarding disciplinary action is fair and just.

Ald. McComb **moved**, Ald. Oberstadt seconded, to amend and approve administrative policy 2.11 to include the language supplied to the Personnel Committee that was recommended by Attorney Dietrich and City Attorney Beveridge.

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

28. Tentative Agreement IAFF Local 484 2016-2018.

HR Manager Jakusz stated the tentative agreement was distributed at the committee meeting and would answer any questions.

Ald. Patton **moved**, Ald. Ryan seconded, to approve the 2016-2018 tentative agreement IAFF Local 484.

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

29. Minutes and actions of the Board of Water and Sewerage Commissioners meeting of December 14, 2015.

Ald. Phillips **moved**, Ald. Slowinski seconded, the minutes and actions of the Board of Water and Sewerage Commissioners meeting of December 14, 2015.

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

30. Minutes and actions of the Board of Park Commissioners meeting of December 2, 2015.

Mayor Wiza informed the City Council that Park Commissioner Jeff Bahling unexpectedly passed away and thoughts and prayers are extended to his family.

Ald. McComb **moved**, Ald. Oberstadt seconded, to approve the minutes and actions of the Board of Park Commissioners meeting of December 2, 2015.

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

31. Transferring Real Property Lease Agreement for Cellphone Antennae at Zenoff Park.

City Attorney Beveridge stated this was voted on previously and when the paperwork was submitted there were additional changes requested by Cellcom. The most notable change was to transfer Tower Holdings I to Tower Holdings II, which would need a vote.

Ad. Patton **moved**, Ald. Phillips seconded, to transferring real property lease agreement for cellphone antennae at Zenoff Park.

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

32. Minutes and actions of the Police and Fire Commission meeting of November 3, 2015 and the Special Police and Fire Commission meetings of November 9, 10, 12 and 16, 2015.

Ald. Patton **moved**, Ald. Kneebone seconded, to approve the minutes and actions of the Police and Fire Commission meetings of November 3, November 9, 10, 12 and 16, 2015.

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

33. Minutes and actions of the Transportation Commission meeting of December 10, 2015.

Ald. Phillips stated the minutes did not contain much content and questioned if there were any financial reports that should be attached.

Director Lemke stated he was not at the meeting and would look into the content. He stated there are times when the meeting schedule does not align to include the financial report.

Ald. Kneebone stated the primary issue discussed at the meeting was the change to the Freon recovery/recycle unit, which provided a significant savings and needed a vote.

Ald. McComb **moved**, Ald. Morrow seconded, to approve the minutes and actions of the Transportation Commission meeting of December 10, 2015.

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

34. Minutes and actions of the Airport Commissioners meeting of December 14, 2015.

Ald. Patton **moved**, Ald. Phillips seconded, to approve the minutes and actions of the Airport Commissioners meeting of December 14, 2015.

Ald. Patton stated the airshow is scheduled for June 12, 2016 and they are currently accepting donations.

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

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

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

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

36. Appointment of Election Officials for the 2016-2017 Election Cycle.

Clerk Moe stated this is statutorily required and is done every election cycle.

Ald. Doxtator stated he would abstain from voting on items #36 and #37.

Ald. Kneebone and Phillips stated they would abstain from voting.

Ald. Patton **moved**, Ald. McComb seconded, to approve the appointment of election officials for the 2016-17 election cycle.

Call for the Vote: Ayes: All.
Abstain: Ald. Doxtator, Kneebone, Phillips.
Nays: None. Motion adopted.

**37. Mayoral Appointments:
Housing Authority and Redevelopment Authority**

Mayor Wiza stated these are reappointments, therefore, no background information was provided.

Ald. Van Stippen **moved**, Ald. Kneebone seconded, to approve the Mayoral appointments to the Housing Authority and Redevelopment Authority.

Call for the Vote: Ayes: All.
Abstain: Ald. Doxtator.
Nays: None.

38. Equipment Donation and Security Agreement with Sentry Insurance.

Ald. Phillips **moved**, Ald. Doxtator seconded, to approve the equipment donation and security agreement with Sentry Insurance with minor non-material changes provided by staff.

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

***39. Resolution – Investment Tax Credit.**

This item was pulled from the agenda.

40. Enter into closed session under 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 in which it is or is likely to become involved) for discussion of resolving an encroachment upon City property within Bukolt Park and consideration of the minutes of the closed session meetings from August 17, and September 21, 2015. And pursuant to Wisconsin Statutes 19.85(1)(e) for the deliberating or negotiating the purchase 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:

Negotiating the terms of a development agreement for the property east of 1101 Centerpoint Drive, Stevens Point, WI 54481

Ald. McComb **moved**, Ald. Phillips seconded, to approve the Common Council enter into closed session at 8:28 p.m.

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

41. Adjournment.

The meeting was adjourned at 9:43 p.m.