

**City of Stevens Point
REGULAR COUNCIL MEETING**

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

**May 16, 2016
7:00 P.M.**

Mayor Mike Wiza, Presiding

ROLL CALL: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.

OTHERS

PRESENT: City Attorney Beveridge, C/T Ladick, City Clerk Moe; Fire Chief Finn; Police Chief Skibba; Directors J. Lemke, Ostrowski, Schatschneider, Schrader; Nate Enwald, Portage County Gazette; Todd Kuckkahn, Portage County Business Council; Randy Stroik, William Pritchard, Trevor Roark, Bob Fisch, Krista Olson.

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

Mayor Wiza welcomed the new alderpersons. He stated Jim Cooper has retired after 10 years on the Airport Commission.

Mayor Wiza announced the City of Stevens Point has a free "app," that will allow mobile users to access the City's website and news.

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.

Mayor Wiza asked citizens to register to speak at this time.

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

Bob Fisch, 1033 Smith Street, Poky Pedaling, provided an overview of its mission and goals. He stated this year will be the fifth year of Bike Fun. Mr. Fisch added the theme for 2016 will be a charity theme and to shop and donate by bike.

5. Presentation by Senior Poppy Princess Karli Homann and Junior Poppy Princess Katelyn McDowell.

Karli Homann is the 2016 Senior Poppy Princess and represents American Legion Post 6. She reviewed the history of the poppy and the iconic poem "Flander's Fields". Ms. Homann stated it is important to remember the veterans and the men and women of the Armed Forces who protect our freedoms.

6. Presentation by Todd Kuckkahn, Portage County Business Council Executive Director, regarding Business Council activities and services.

Mr. Kuckkahn, Executive Director, Portage County Business Council, stated work is done at the local, regional and state level with economic development plans as they relate to business retention and various business needs and challenges. He added attracting and retaining talent to the area with enhanced quality of life is another challenge the PCBC works to handle. Mr. Kuckkahn also stated partnerships with the business community and municipal government are important and assist with the economic development of the area.

Consideration and Possible Action on the Following:

7. Minutes of the Regular Common Council meeting of April 18, 2016 and the Common Council Reorganization meeting of April 19, 2016.

Clerk Moe requested that the list of Mayoral appointments be inserted into the Minutes.

Ald. Phillips **moved**, Ald. Morrow seconded, to approve the regular Common Council Minutes of the April 18, 2016 and the Common Council Reorganization meeting of April 19, 2016.

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

8. Reserve "Class B" License Economic Development Reimbursement Grant Request – Leah and Christian Czerwonka for El Jefe Taco Y Tequila.

Attorney Beveridge stated a new state statute will change this grant program effective 6-1-16. He added the Czerwonka's have met all the requirements and are eligible for reimbursement.

C/T Ladick stated the Czerwonka's paid \$10,000 for the full liquor license and have met all requirements in order to receive the grant. He said they will receive \$9,500.00 from the grant.

Ald. Doxtator **moved**, Ald. Oberstadt seconded, to approve the "Class B" license Economic Development Reimbursement Grant for Leah and Christian Czerwonka for El Jefe Taco Y Tequila.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Oberstadt, Ryan, Shorr, Doxtator.
Nays: None. Motion adopted.

9. Minutes and actions of the City Plan Commission meeting of May 2, 2016.

Trevor Roark, 601 Washington Avenue, stated the BPAC made a recommendation at the March meeting to the City Plan Commission to not allow the development of the three lot subdivision at the intersection of St. Paul St. and Regent Street to be completed without sidewalks. He stated the Plan Commission decided to move forward with the subdivision without sidewalks but the vote was not unanimous. Mr.

Roark added this was not in compliance with the comprehensive plan that was developed and approved by the City Council in 2006.

Bill Pritchard, 5456 Cardinal Drive, stated he tried to follow protocol by contacting Community Development and working with Dir. Ostrowski and Associate Planner Kyle Kearns. He added it was originally approved by the Plan Commission without sidewalks. Mr. Pritchard stated this was brought before City Staff and Plan Commission and hopes the City Council follows the recommendation by the Plan Commission.

Dir. Ostrowski stated there is no specific plan that addresses sidewalks for the specified street and that is why city staff recommended approval without sidewalks. He added the Bike and Ped Plan does not address a uniform sidewalk plan.

Ald. Johnson **moved** to pull item #14 for further discussion.

Ald. Kneebone **moved**, Ald. Ryan seconded, to approve the minutes and actions of the City Plan Commission meeting of May 2, 2016 and with item #14 pulled for further discussion.

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

DISCUSSION OF ITEM #14: Request from Washington Construction, Inc., for a preliminary subdivision plat review at two unaddressed properties located at the southwest intersection of Regent Street and Saint Paul Street.

The Mayor stated the recommendation from the Plan Commission was to approve the project without sidewalks.

Ald. Johnson stated after discussion with citizens and staff, there was concern the lack of sidewalks are a safety issue for children and others who are not as mobile. She also added that sidewalks provide a safety barrier between vehicle and pedestrian traffic.

Ald. Dugan stated this project is in her district, two blocks from her house. She stated the City needs a firm policy leading to a more in-depth sidewalk program and requiring sidewalks in this instance will signal a positive movement toward that goal.

Ald. Oberstadt stated adding sidewalks to existing homes is much more difficult than requiring them at the start of a subdivision project. She added it is very important to put the sidewalks in at this time.

Ald. Kneebone stated sidewalks should be required with new subdivisions.

Ald. McComb suggested the bigger picture of improving Stevens Point would include the addition of sidewalks.

Ald. Ryan stated he agreed with the comments made previously. He said there seems to be a general consensus to fill in the sidewalk gaps. Ald. Ryan stated if sidewalks were required, it would level the playing field for all developers to know the

expectation for subdivision development would include sidewalks. He said he was in favor of adding sidewalks to this project.

Ald. Morrow questioned the additional cost for the sidewalks.

Mayor Wiza asked if sidewalks could be installed when the last parcel on that particular street was developed.

Dir. Ostrowski replied the cost is approximately \$6.00 per square foot. On average 75 foot lot, the cost would be roughly \$2,200 to \$2,300. He said adding special assessments and different requirements as to when sidewalks would need to be completed would cause confusion. Dir. Ostrowski stated it would be better to require sidewalks at the beginning of the development process.

Ald. Doxtator stated he would be in favor of Mr. Pritchard building without sidewalks.

Ald. Phillips stated he considers sidewalks a liability for the property owner. He added he is not in favor of filling in the gaps and to leave things natural.

Ald. Slowinski stated it is harder to fill in the gaps after the property has been developed and he is in favor of requiring sidewalks now.

Ald. Johnson said the BPAC might be the committee where a plan is developed concerning sidewalks and completing the gaps in neighborhoods. She said a plan needs to be in place before gaps can be completed and this would be a good committee to begin this process.

Ald. Oberstadt stated it is important for younger elementary school students to be safe and sidewalks would insure more safety.

Ald. Dugan **moved**, Ald. Ryan seconded, to approve as recommended with the additional condition that sidewalks be installed before occupancy.

Ald. Phillips stated the Village of Plover has very few sidewalks. He added sidewalks are a liability and he would vote against this motion.

Ald. Ryan responded by stating the Village of Plover and the City of Stevens Point are very different in layout configuration. He added the expectation of living in a city is that there are sidewalks and living in the country requires the use of a car.

Call for the Vote: Ayes: Ald. Shorr, Ryan, Oberstadt, Johnson, Slowinski, McComb, Dugan.

Nays: Ald. Doxtator, Kneebone, Phillips, Morrow. Motion adopted.

10. **Resolution – Conditional Use – 4001 Patch Street – Permit to install a dock with fencing and utilize a utility trailer for on-site storage within the “C” Conservancy Zoning District at that location.**

Christa Olson, 3317 Della, representing the McDill Lake District, stated she was available for questions.

Ald. Slowinski **moved**, Ald. Phillips seconded, to approve the conditional use permit for 4001 Patch Street – permit to install a dock with fencing and utilize a utility trailer for on-site storage within the “C” Conservancy Zoning District at that location.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Oberstadt, Ryan, Shorr, Doxtator.
Nays: None. Motion adopted.

11. Resolution – Conditional Use – 4001 Patch Street – Permit to dredge in McDill Pond and deposit sediment at that location.

Ald. Slowinski **moved**, Ald. Morrow seconded, to approve the conditional use permit for 4001 Patch Street – permit to dredge in McDill Pond after June 15, 2016 and deposit sediment at that location.

Call for the Vote: Ayes: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

12. Ordinance Amendment – Rezone 24 properties within and on the fringe of the downtown from M-1 Light Industrial District to B-2 Central Business Transition District: 1000 Union St. (Parcel ID: 2408-32-2002-01), 701 Portage Street (Parcel ID: 2408-32-2006-05), 1000 Third Street (Parcel ID: 2408-32-2004-01), 1001 Union Street (Parcel ID: 2408-32-2001-11), 941 Portage Street (Parcel ID: 2408-32-2004-02), 0 Portage Street (Parcel ID: 2408-32-2005-01), 1013 Second Street (Parcel ID: 2408-32-2004-18), 1009 Second Street (Parcel ID: 2408-32-2004-05), 1001 Second Street (Parcel ID: 2408-32-2004-04), 801 Portage Street (Parcel ID: 2408-32-2005-02), 1008 Union Street (Parcel ID: 2408-32-2002-06), 1017 Union Street (Parcel ID: 2408-32-2001-13), 1016 Third Street (Parcel ID: 2408-32-2004-14), 0 Centerpoint Drive (Parcel ID: 2408-32-2005-06), 916 Centerpoint Drive (Parcel ID: 2408-32-2004-08), 1220 Briggs Court (Parcel ID: 2408-32-2001-37), 1105 Second Street (Parcel ID: 2408-32-2004-09), 0 Third Street (Parcel ID: 2408-32-2004-13), 1035 Union Street (Parcel ID: 2408-32-2001-15), 1043 Union Street (Parcel ID: 2408-32-2001-16), 0 Centerpoint Drive (Parcel ID: 2408-32-2004-17), 0 Second Street (Parcel ID: 2408-32-2004-19), 157 West Clark Street (Parcel ID: 2408-31-1013-05), and 133 & 165 West Clark Street (Parcel ID: 2408-31-1013-26).

The Mayor stated he would like to take items 12 through 18 as one agenda item. He asked if there were any objections from the Common Council.

There were no objections.

13. Ordinance Amendment – Rezone five properties within and on the fringe of the downtown from B-4 Commercial District to B-3 Central Business District: 1111 Crosby Avenue (Parcel ID: 2408-32-2009-10), 1017 Crosby Avenue (Parcel ID: 2408-32-2007-12), 0 Main Street (Parcel ID: 2408-32-2011-11), 0 Crosby Avenue (Parcel ID: 2408-32-2011-12), and 0 Water Street (Parcel ID: 2408-32-2009-11).

14. **Ordinance Amendment – Rezone one property within and on the fringe of the downtown from B-4 Commercial District to B-2 Central Business Transition District: 1009 First Street (Parcel ID 2408-32-2005-05).**
15. **Ordinance Amendment – Rezone three properties within and on the fringe of the downtown from M-1 Light Industrial District to C Conservancy District: Three unaddressed parcels (Parcel ID’s: 2408-31-1013-17, 2408-31-1013-02, and 2408-31-1013-01).**
16. **Ordinance Amendment – Rezone one property within and on the fringe of the downtown from B-3 Central Business District to B-2 Central Business Transition District: 1101 First Street (Parcel ID: 2408-32-2005-07).**
17. **Ordinance Amendment – Rezone one property within and on the fringe of the downtown from R-4 Multiple Family I Residence District to B-2 Central Business Transition District: 1009 Union Street (Parcel ID: 2408-32-2001-12).**
18. **Ordinance Amendment – Rezone one property within and on the fringe of the downtown from R-5 Multiple Family II Residence District to B-2 Central Business Transition District: 1300 Briggs Court (Parcel ID: 2408-32-2001-36).**

Ald. Kneebone **moved**, Ald. Doxtator seconded, to approve the rezoning ordinances #12 through #18.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Oberstadt, Ryan, Shorr, Doxtator.
Nays: None. Motion adopted.

19. **Ordinance Amendment – Zoning – Remove parking stall requirements for all uses in B-2 and B-3 Commercial Zoning Districts (Subsection 23.02(2)(b) and 23.02(2)(c) of the RMC).**

Ald. Ryan **moved**, Ald. McComb seconded, to approve the ordinance amendment to remove parking stall requirements for all users in B2 and B-3 commercial zoning districts.

Call for the Vote: Ayes: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

20. **Ordinance Amendment – Official Street Map – to extend Worth Court south to Clem’s Way.**

Ald. Doxtator **moved**, Ald. Phillips seconded, to approve the ordinance amendment for the official street map to extend Worth Court south to Clem’s Way.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Oberstadt, Ryan, Shorr, Doxtator.
Nays: None. Motion adopted.

21. Resolution – Conditional Use Amendment Correction – 1201 North Point Drive – Installing exterior heating, ventilation and air conditioning equipment.

Dir. Ostrowski stated this was being resubmitted due to a correction in verbiage.

Ald. Phillips **moved**, Ald. Kneebone seconded, to approve the conditional use amendment correction for 1201 North Point Drive – installing exterior heating, ventilation and air conditioning equipment.

Call for the Vote: Ayes: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

22. Minutes and actions of the Board of Public Works meeting of May 9, 2016 and the actions taken at the Special Board of Public Works meeting of May 16, 2016.

Mayor Wiza read the actions of the Board of Public Works meeting of May 16, 2016. He reported there was 1 bid each for the Sixth Avenue Reconstruction Project as well as the Sanitary Sewer Lining Project.

Ald. Slowinski **moved**, Ald. Oberstadt seconded, to approve the minutes and actions of the Board of Public Works meeting of May 9, 2016 and the actions taken at the Special Board of Public Works meeting of May 16, 2016.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Oberstadt, Ryan, Shorr, Doxtator.
Nays: None. Motion adopted.

23. Award the Sixth Avenue Reconstruction Project #16-01 to Earth Inc. in the amount not to exceed \$1,661,848.89 with contingency.

Ald. Phillips **moved**, Ald. Morrow seconded, to award the Sixth Avenue Reconstruction Project #16-01 to Earth Inc., in the amount not to exceed \$1,661,848.89 with contingency.

Call for the Vote: Ayes: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

24. Award the Sanitary Sewer Lining Project #16-07 to Lametti & Sons, Inc. out of Hugo, MN in the amount not to exceed \$307,468.60 with contingency.

Ald. Oberstadt **moved**, Ald. Ryan seconded, to award the Sanitary Sewer Lining Project #16-07 to Lametti & Sons, Inc., out of Hugo, MN, in the amount not to exceed \$307,468.60 with contingency.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Oberstadt, Ryan, Shorr, Doxtator.
Nays: None. Motion adopted.

25. Agreement between Portage County and the City of Stevens Point to deed land for municipal road purposes – extension of Worth Ct.

Ald. Slowinski **moved**, Ald. Johnson seconded, to approve the agreement between Portage County and the City of Stevens Point to deed land for municipal road purposes – extension of Worth Ct.

Call for the Vote: Ayes: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

26. Resolution Vacating A Public Street – Worth Court – West Portion of Cul-De-Sac.

Dir. Ostrowski stated this is the introduction and the official action will occur in July.

Ald. Kneebone **moved**, Ald. McComb seconded, to approve the resolution vacating a public street – Worth Court – west portion of cul-de-sac.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Oberstadt, Ryan, Shorr, Doxtator.
Nays: None. Motion adopted.

27. Minutes and actions of the Public Protection Committee meeting of May 9, 2016.

Ald. Doxtator **moved**, Ald. Johnson seconded, to approve the minutes and actions of Public Protection Committee meeting of May 9, 2016 and pull item #3 for further discussion.

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

DISCUSSION OF ITEM #3: Appeal of service charge for property maintenance violation: 2025 Michigan Avenue.

Ald. Johnson stated with regard to item 3A, there was a correction. She noted that on this item, she voted “nay” and it should be corrected in the minutes.

Randy Stroik, 433 W. Trillium Court, thanked the Public Protection Committee and assured the City Council that there will be no parking on the grass.

Ald. Doxtator **moved**, Ald. Ryan seconded, to uphold the service charge for the four appeals.

Ald. Slowinski stated while he supports Ald. Doxtator’s motion, this property has a unique situation where there is no place to move or park a second vehicle.

Ald. Kneebone stated she is conflicted with this situation also as the lots are small and there simply is no room.

Ald. Dugan stated the ordinances should be changed to allow parking on the street.

Ald. Johnson stated the service fees should be applied evenly and fairly to everyone.

Mayor Wiza stated these are not new ordinances and they have not changed; they need to be enforced.

Ald. McComb stated all properties should be cited systematically.

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

28. Ordinance Amendment – Creation of Vice-Chairperson position for Standing Committees (Sect. 2.28 of the RMC).

Mayor Wiza stated this is in the event the Chair cannot attend the meeting.

Ald. Slowinski **moved**, Ald. Johnson seconded, to approve the ordinance amendment for the creation of a vice-chairperson position for standing committees.

Call for the Vote: Ayes: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

29. Ordinance Amendment – Creation of a permit for the keeping of chickens, ducks, and rabbits and moving Keeping Animals section from Ch. 21 to Ch. 14 (Sect. 14.14(6) and (7) of the RMC).

Ald. Morrow stated this was a good idea and commended Attorney Beveridge on a job well done.

Ald. Johnson **moved**, Ald. Shorr seconded, to approve the ordinance amendment for the creation of a permit for the keeping of chickens, ducks and rabbits and moving Keeping Animals section from Ch. 21 to Ch. 14.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Oberstadt, Ryan, Shorr, Doxtator.
Nays: None. Motion adopted.

30. Minutes and actions of the Finance Committee meeting of May 9, 2016.

Ald. Phillips **moved**, Ald. Shorr seconded, to approve the minutes and actions of the Finance Committee meeting of May 9, 2016.

Call for the Vote: Ayes: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

31. Ordinance Amendment – Room Tax – penalty provisions for violations of room tax ordinance (subsection 4.13(18) of the RMC).

Ald. Slowinski asked for clarification on this ordinance amendment.

Attorney Beveridge stated this ordinance was created due to one particular owner who fails to pay his room tax fees in a timely manner. He added it generates a lot of nonproductive time trying to contact the individual.

Ald. Slowinski **moved**, Ald. Oberstadt seconded, to approve the ordinance amendment for room tax – penalty provisions for violations of room tax ordinance.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Oberstadt, Ryan, Shorr, Doxtator.
Nays: None. Motion adopted.

32. Ordinance Amendment – Water & Sewerage – updating fee schedule for private sewage haulers (subsection 13.22(d) of the RMC).

Dir. J. Lemke stated this provides competitive rates.

Ald. Phillips **moved**, Ald. Kneebone seconded, to approve the ordinance amendment – water and sewerage – updating the fee schedule for private sewage haulers.

Call for the Vote: Ayes: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

33. Minutes and actions of the Police and Fire Commission meeting of April 6, 2016.

Ald. Doxtator **moved**, Ald. Ryan seconded, to approve the minutes and actions of the Police and Fire Commission meeting of April 6, 2016.

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

34. Minutes and actions of the Board of Park Commissioners meeting of May 4, 2016.

Ald. McComb **moved**, Ald. Kneebone seconded, to approve the minutes and actions of the Board of Park Commissioners meeting of May 4, 2016.

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

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

Ald. Kneebone **moved**, Ald. Dugan 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. Mayoral Appointments
Board of Water and Sewage Commissioners
Airport Commission

Ald. Oberstadt **moved**, Ald. Ryan seconded, to approve the Mayoral appointment of Anna Haines to the Board of Water and Sewage Commissioners and to the Airport Commission.

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

37. Adjourn into closed session (approximately 7:10 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) on the following:

A. Negotiating the purchase of property for expanding a City Park.

Ald. Doxtator **moved**, Ald. Johnson seconded, to adjourn into closed session at 8:35 p.m.

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

38. Adjournment.

The meeting was adjourned at 8:56 p.m.