

AMENDED
City of Stevens Point
SPECIAL COMMON COUNCIL MEETING

Lincoln Center
October 8, 2012
1519 Water Street
P.M.

6:40

Mayor Andrew Halverson, Presiding

Roll Call: Alderpersons Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips and Moore.

Also

Present: C/T Schlice; City Attorney Molepske; Clerk Moe; Directors Lemke, Schrader, Ostrowski, Schatschneider; Asst. Police Chief Zenner; Assessor Siebers; Deputy C/T Freeberg; Kelley Pazdernik; Brandi Makuski; Brian Kowalski; Matthew Brown; Barb Jacob; Corey Ladick; Steve Lindsley; Rob Konkol

***2. Consideration and possible action on the actions taken at the City Plan Commissions meeting of October 1, 2012 relating to items 3, 4 and 5 of this agenda.**

Ald. Moore **moved**, Ald. Beveridge seconded, to approve the actions taken at the City Plan Commission's meeting of October 1, 2012 relating to items 3, 4 and 5 of this agenda

Ayes: All

Nays: None. Motion adopted.

3. Consideration and approval of executing the Amended & Restated Reciprocal Easements, Parking and Operating Agreement and Declaration of Restrictions governing the former CenterPoint MarketPlace site.

Ald. Wiza asked for clarification of section 2.4.

City Attorney Molepske said it is basically what was in it before. He said this agreement allows the City to tear down the mall and make a temporary parking lot.

Ald. Wiza asked if the agreement is too restrictive and may have a negative impact on potential development.

Mayor Halverson noted that most of the restrictions in the agreement are already restricted due to zoning. On the mall site, competition to Shopko is prohibited. This does not mean the City cannot pursue those options for other areas such as the Lullabye site. Part of the rationale behind this is that the City does not want anything to happen to Shopko. Sara Investment is comfortable with this agreement because of the numerous retail options that still remain.

Ald. Beveridge noted that very few of the franchises listed in Sara Investments' portfolio would be excluded under this agreement.

Ald. Slowinski asked under section 5 what is the City's responsibility in regards to parking maintenance.

Mayor Halverson replied the City's responsible for the general Shopko parking lot, the south of Shopko, and areas to the east and north of Shopko. Shopko would be charged a percentage for the maintenance and reconstruction.

Ald. R. Stroik asked with the mall gone why the agreements need to continue.

Mayor Halverson said the City would have to condemn the agreements which was a path we did not want to take. The City wants to be a partner with Shopko and their protections were reasonable.

Ald. R. Stroik asked what would happen if Shopko redevelops its site.

City Attorney Molepske stated that they could.

Ald. Beveridge **moved**, Ald. M. Stroik seconded, to approve executing the Amended & Restated Reciprocal Easements, Parking and Operating Agreement and Declaration of Restrictions governing the former CenterPoint MarketPlace site.

Roll Call: Ayes: Alderpersons Moore, Phillips, R. Stroik, Patton, Trzebiatowski, Slowinski, M. Stroik, O'Meara, Suomi and Beveridge.
Nays: None. Motion adopted.

***4. Consideration and approval of transferring a portion of the property located at 1201 Third Court (soon to be 1201 Third Street)(former JC Penney), along with adjacent parking area(s), to Mid-State Technical College.**

Mayor Halverson stated this is in essence an action because the City is a signatory to this agreement and it will need to be approved.

Ald. R. Stroik **moved**, Ald. Slowinski seconded, to approve the transferring a portion of the property located at 1201 Third Court (soon to be 1201 Third Street)(former JC Penney), along with adjacent parking area(s), to Mid-State Technical College.

Roll Call: Ayes: Alderpersons Beveridge, O'Meara, M. Stroik, Trzebiatowski, Patton, R. Stroik, Phillips and Moore.
Nays: None. Motion adopted.

***5. Consideration and approval of transferring of the property located at 1101 Centerpoint Drive (Parcel ID 2408 32-2029-61) and the adjacent property (portions of Parcel IDs 2408-32-2029-65 and 2408-322029-66) to Sara Investments.**

Ald. Beveridge asked if the earnest money of \$4,000 (1 %) was a typical amount for this type of

transaction.

Mayor Halverson noted that it was originally \$100 but the City got them to agree to \$4,000.

Ald. Wiza asked what we paid in the settlement for the Dunhams building.

Mayor Halverson said \$575,000.

Ald. Wiza asked if that included the \$15,000 a year for ten years.

Mayor Halverson said that was in addition to the \$575,000.

Ald. Wiza noted the City is now selling it for \$400,000. He asked if any of the difference would be recuperated.

Mayor Halverson said it is unclear what the future value of the property is going to be. The City does know that Sara Investments plans to do extensive remodeling and investment.

Ald. Beveridge **moved**, Ald. Slowinski seconded, to approve the transferring of the property located at 1101 Centerpoint Drive (Parcel ID 2408 32-2029-61) and the adjacent property (portions of Parcel IDs 2408-32-2029-65 and 2408-322029-66) to Sara Investments.

Roll Call: Ayes: Alderpersons Moore, Phillips, R. Stroik, Patton, Trzebiatowski, Slowinski, M. Stroik, O'Meara, Suomi and Beveridge.
Nays: None. Motion adopted.

6. Adjournment.

Adjourned at 7:02 p.m.