

**City of Stevens Point
COMMON COUNCIL MEETING**

Council Chambers
County-City Building

July 21, 2014
7:00 P.M.

Mayor Andrew J. Halverson, presiding.

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

Also Present: City Atty. Beveridge, Clerk More, C/T Ladick, Directors Ostrowski, Schatschneider, J. Lemke, Police Chief Ruder, Fire Chief Finn, Kelly Pasdernik, Mayoral Assistant, Lisa Jakuz, Human Resource Manager, Steve Shepro, Assessor.

Mayor Halverson stated that without objection, given the amount of people who are here, he would like to move Agenda item #20 immediately after the non-agenda agenda items, which would be between items #5 and #6. There were no objections.

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

Mayor Halverson provided an update on the pay plan hearings and said that these will occur either the last week of July or the first week of August. The City Clerk will be surveying staff to determine a meeting date.

3. Consideration and possible action of the minutes of the Regular Common Council meeting of June 16, 2014 and the Special Common Council meeting of July 7, and July 15, 2014.

Ald. Slowinski moved. Ald. Moore seconded to accept the minutes.

Ald. Suomi said on page 4, the agenda items are out of line and should be placed between items #14 and #15.

Ald. M. Stroik said item #41 her name is misspelled.

Roll Call: Ayes: All
Nays: None. Motion carried.

4. *Person's 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 Halverson directed guests to register to speak by providing their name and address on the forms provided by Kelly Pazdernik.

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

Roger Hackler, 2025 Park Street, addressed the Council regarding the importance of the City of Stevens Point having separate services such as their own judges and police department. He also said that he would like to see more sports and recreational activities for adults.

Mayor Halverson said that Mr. Hackler's comments are very timely as there has been a newly established Municipal Court Clerk position for the City of Stevens Point.

Jim Grubba, 903 Walkush Road, addressed the Council and stated that he was a candidate for Portage County Sheriff. He provided a brief personal and work history that outlined his qualifications for the position of Portage County Sheriff.

Clerk Moe stated as a housekeeping reminder, please sign in, so all names are recorded for the official record.

Clerk Moe continued saying there is a partisan primary on August 12, 2014. In-person voting will open up on Monday, July 28, 2014, so people can vote early at the Clerk's office between the hours of 8 a.m. to 4 p.m. Absentee ballots can be mailed. As a reminder, he stated that if individuals have had name or address changes, they will be required to provide proof of residence. The list of documents used for proof of residence are listed on the website. This is a partisan primary necessitating voters choose their party and stay within that party. A copy of the ballot will be on the website for review. Questions can be directed to the City Clerk's office by calling 715-346-1569.

Consideration and Possible Action on the following:

20. Discussion and possible action on releasing a request for proposals for the sale and/or redevelopment of the Edgewater Manor property.

Dir. Ostrowski provided a summary of the Redevelopment Authority's actions as well as going over the financial projections.

Dir. Ostrowski stated at the July 8, 2014 meeting, several options were reviewed concerning Edgewater Manor and the potential renovations to include the facade, windows and other updates that would make the building more marketable; the possibility of releasing another RFP, providing tax credit options and ultimately the sale of the building. He stated that the façade issue adds approximately \$70,000 to \$80,000 annually for the debt service payment. Borrowing would be approximately \$3.2 million at 3.5% over 20 years, which would be just over \$220,000.00 for an annual debt service payment. Repayment

would be difficult based on the revenue that will be received from the units in Edgewater. In 2014, there is about a 35% vacancy rate. Occupancy has been consistent even with switching management companies. Vacancy projections for 2015-2016 estimates were decreased by 5% increments.

Ald. Wiza asked about the façade that was falling off due to water damage. He stated that rumors are circulating that the façade may not need to be repaired as extensively as originally indicated. He specifically asked if there was anything in writing from the contractors who did the work stating the extent of the damage and the need to repair this issue as well as any other improvements

Dir. Ostrowski stated that W.J. Higgins, an engineering firm, looked at Edgewater last year and this year. They were the ones who recommended the temporary solution to fasten the façade to the structural frame which would allow for a one to two year "fix". After that time, the façade would need to be replaced. Replacing the façade would likely mean replacing windows and insulation. In 20 of the holes drilled through the façade, the woodwork and into the structural framing, the contractor stated water poured out. The temporary fix also included sealing some of the openings around the windows to try to prolong this temporary solution for as long as possible.

Ald. Moore asked if a second opinion from a different contractor has been received for any of this work.

Dir. Ostrowski stated that the Director of the State of Wisconsin Masonry Institute looked at the report and concurred this was one of the worst that he has seen. This individual did not physically inspect the building. The City could have him do that but another fee would be incurred. Based off of his initial reaction to the report, Dir. Ostrowski was comfortable with that.

Ald. Moore asked what exactly the RFP would be for.

Dir. Ostrowski stated that the RFP was for any and all possibilities for the property. This included a purchase, keep it the same, tear it down and build new, change some of the housing options (not just senior housing), to open it up to get the highest investment for that piece of property.

Ald. Trezbiatowski asked if there was any plan being discussed regarding the remodeling of the interior, such as toilets, tubs, sinks, etc.

Dir. Ostrowski stated not everyone feels an interior remodel is necessary. However, with a 35% vacancy, this property cannot continue to be managed and expect to be profitable into the future when an issue such as the façade needs to be resolved.

Ald. O'Meara asked Dir. Ostrowski if he was convinced that this was a worst case scenario.

Dir. Ostrowski stated this was not a worst case scenario. There are bound to be surprises in any renovation project. He said he felt the numbers were accurate.

Patricia Harry, Edgewater, questioned the intent of putting the residents of Edgewater out of their homes.

Lori Giese, Edgewater, stated that this is a very pleasant place, and the people are really nice. The interior units are well kept and it suits her needs. Lori read a letter submitted by Lorraine Kramer, an elderly resident of Edgewater Manor. She stated that Lorraine is 95 years old and has lived at Edgewater for the past 8 years. In her letter, Ms. Kramer stated that it helps a lot to be near what elderly citizens need and she does not know what she will do if her rent goes up. She added that she really likes living at Edgewater.

Ald. Wiza asked why Ms. Giese chose Edgewater.

Ms. Giese stated she grew up in the area. Due to personal health issues, she chose Edgewater because she has family in the area, the friendly staff and it was clean, affordable in this phase of her life. She stated she felt respected by the staff.

Henry Korger, 3200 Water Street, #2, 88-years-old, does not understand why this is being discussed again. The Alderpersons voted unanimously to let the people live in the high rise. Residents are going through a lot of misery not knowing if they are going to be kicked out. That is not nice to do to elderly people. This apartment complex is one of the nicest in the City of Stevens Point. It is centralized and on the water. He stated repairs can be made to leaky pipes, new flooring, etc., to reduce vacancy rate.

Barb Jacob, 1616 Depot Street, stated she is disappointed that we are here again. There is uncertainty among the residents in not knowing if they will have a place to live in the future. She asked if every unit needed to be redone for \$13,000.00. What is absolutely necessary and is it worth it. She questioned if there were other options besides the brick façade, is there something that can be done cheaper.

Mary Ann Laszewski, 1209 Wisconsin Street, suggested postponing a decision on Edgewater until after the mayoral election in April to see how the new mayor will pursue this matter. This would allow appropriate time to evaluate Candlewood's performance and decide if different management and advertising is needed.

Sadie Behm, Edgewater, a 12-year resident, questioned why the residents were not notified of this meeting. She stated the walls and ceilings are in mint condition. Candlewood is doing a good job and they are not being given a chance to prove themselves. She requested that a decision on Edgewater be postponed and let the next mayor deal with this.

Victor Dechant, 1450 Water Street, stated, "stand up and do the right thing." The

actions taken today will affect people 10 to 15 years from now.

Fred Shulz, stated the City is worried about spending \$1 or \$2 million when Wausau just remodeled the same size building for \$11 million and all those residents are happy.

Mary Meyer, 1450 Water Street, #302, stated she loves it at Edgewater. She rides her bike along the path which is right outside the building and she can observe the ducks, geese and sunsets. She stated one reason she chose Edgewater was the availability of the ARDC across the street. She stated this matter is of the utmost importance to her.

Ald. Patton asked what happened to the rent money from the building.

Dir. Ostrowski stated rent goes toward the operating and maintenance costs of the facility. Candlewood takes a 7% fee for rents collected as well as costs for maintenance based on an hourly rate. Heating, electricity and cable are at a discounted rate, but the City still pays for a good chunk of that. There are savings every month. There is a net positive now because there is no debt service payment. The concern now is having another debt service payment will push the City back into the red.

Mayor Halverson stated over the years, the city has provided significant subsidies to its' own detriment and loss of opportunities in other areas. He stated that the City has invested hundreds and hundreds of thousands of dollars subsidizing the rent the tenants pay in the building that is home for many. It has not been subsidized via tax dollars. With the shortage of revenue to subsidize this facility, the taxpayers of Portage County will be obligated to cover the short fall.

Mayor Halverson stated that there is no debt currently and there is just enough revenue to cover the fixed costs of the building. As the building ages and continues to need more investment and it is not corrected, the vacancy rate will not improve and risk the potential of falling back into the red.

Mayor Halverson said if this property were privately held, a landlord would make a simple decision: what does the cost benefit analysis look like – rents versus capital investment/improvements required to market the complex. The end result would be to sell the property if the capital investment outweighs the profitability.

Mayor Halverson stated the Redevelopment Authority made an appropriate decision to review all aspects of potential opportunity for that property. The RFPs need to be released to garner as much information both pro and con in order to make an intelligent decision on what direction to follow concerning this property.

Ald. R. Stroik stated he was surprised to see this on the agenda again.

Ald. R. Stroik moved, Ald. Trzebiatowski seconded, to maintain ownership of the

Edgewater Manor as was stated 6 months ago.

Ald. Moore stated there is nothing to indicate everything needs to be done immediately. He stated this is over blown, it is excessive. If the siding needs to be fixed, put the appropriate monies into it. If brick siding cannot be afforded, find alternatives, it is not that difficult.

Ald. Wiza stated he would like as much information gathered to make an informed decision. He stated he would like to see a priority list of the repairs/remodel in the order that they can be done and furthermore, potential proposals for the sale and/or redevelopment of that property should not be excluded. He stated that drafting the RFP should move forward; it will not hurt anything to consider options.

Ald. O'Meara stated he thinks this is worthwhile. If good improvements are made, there will be waiting lists and good occupancy.

Dir. Ostrowski said the concern now is the façade and the windows, which are going to cost about \$80,000 at 1.2 million over 20 years at 3.5%, that is the debt service payment. That will place this project in the red without doing anything else at 35% vacancy rate. The other improvements will make the building more marketable and decrease the vacancy rate. These are the numbers to make the facility marketable and the variation of what projects are prioritized.

Mayor Halverson stated that the motion before the Council currently is to not support the release of the RFP.

Roll Call: Ayes: Moore, R. Stroik, Trzebiatowski.

Nays: Phillips, Patton, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Doxtator. Motion failed.

Ald. Suomi **moved**, Ald. Phillips seconded, the motion to have the City move forward to release the request for proposals for the sale and/or redevelopment of Edgewater Manor.

Ald. Slowinski stated all options need to be put on the table. The RFP does not cost anything, he would support the motion.

Ald. Wiza said this was a broad request for proposals and asked how the request will be worded.

Dir. Ostrowski said it is no different than any other redevelopment RFP.

Ald. Wiza asked if the RPF would prohibit an individual or a group from submitting more than one response.

Mayor Halverson stated that a developer could have 3 separate responses.

Ald. Wiza stated he wanted all options on the table.

Ald. Wiza **amended** , Ald. O'Meara seconded, to exclude demolition of Edgewater.

Ald. Slowinski said he would like to see every option on the table.

Roll Call: Ayes: O'Meara, Wiza, M. Stroik, Trzebiatowski, Moore.

Nays: Doxtator, Suomi, Slowinski, Patton, R. Stroik, Phillips.

Amendment failed.

Ald. R. Stroik stated for clarification that proposals would be put before the council and voted upon at that time.

Ald. Patton questioned what would happen if something affected the voucher system and how that would affect the income in the building.

Dir. Ostrowski stated that about half of the residents are on vouchers. If the voucher system went away, it would be very challenging for individuals to recoup and try to pay the rent.

Mayor Halverson stated HUD monies/subsidies are evaporating rapidly.

Ald. Moore asked if the RFP will accept proposals to just repair the building.

Mayor Halverson replied no. The RFP is going to be for the sale/redevelopment of Edgewater.

Ald. R. Stroik asked what the timeline would be and if this could be done and completed in 60 days.

Dir. Ostrowski stated that it would be approximately 90 days from today.

Ald. Suomi would not support an amendment of a 90 day timeline.

Ald. R. Stroik **moved** , Ald. Slowinski seconded, to amend the motion to have the responses from the RFP back within 90 days.

Roll Call: Ayes: Majority.

Nays: Minority. Amendment adopted

Roll Call vote on the original motion:

Ayes: Moore, Phillips, Patton, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Doxtator.

Nays: R. Stroik. Motion carried.

6. Minutes and actions of the Plan Commission meeting of July 7, 2014.

Ald. Moore **moved**, Ald. O'Meara seconded, to approve the minutes of the Plan Commission of July 7, 2014.

Roll Call: Ayes: Majority.
Nays: None. Motion carried.

7. Public Hearing – Conditional Use Permit – 1709 Main Street – Construct a garage using the “R-TND” Traditional Neighborhood Development Overlay District minimum setback requirements.

Mayor Halverson declared the public hearing open.

Joan _____ said she was concerned the survey map was not measured accurately and depicts very little green space. She is opposed to the project.

Armin Nebel, 1100 Phillips Street, stated his concern is many single family homes in the area have been converted to rental properties and upkeep has been less than stellar. He stated that the size of the garage would make the backyard miniscule and less desirable to attract a family to purchase and is strongly opposed to this project.

Mike Yokers, 1421 Pine Oak Court, owner of the property, said he will not be keeping the property as a rental, it will be sold for a single family home once the renovations have been completed and the garage built.

Cathy Dugan, 615 Summers, stated her concern is the lack of green space and too much pavement and impervious surface.

Roger Hackler, 2025 Park Street, stated he agreed with the statement made earlier about green space.

Mayor Halverson declared the public hearing closed.

8. Resolutions on the above.

City Attorney Beveridge stated the Council is acting in a quasi-judicial manner and if there is a motion to deny the conditional use, that it specifically reference one or more of the standards and explain why it does not meet the standard. In case the City is challenged, those justifications are on record.

Ald. R. Stroik stated that the owner has made his intention known to sell the property as a single family dwelling when the renovation is completed. He asked if that can be made a condition of the approval.

Mayor Halverson stated that if an attempt is made to place a condition that is forcing the specific use of a property, that is a condition that would exceed the authority of the Common Council.

City Attorney Beveridge stated he could not comment conclusively on this question.

Ald. O'Meara stated the size proposed for this garage is 20 by 22, which is a 2-car garage.

Ald. O'Meara **moved**, Ald. Moore seconded, to approve the request to construct a garage.

Roll Call: Ayes: Doxtator, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: Suomi. Resolution is adopted.

9. Public Hearing – Amend the Zoning Code to adopt a newly formatted Traditional Neighborhood Overlay Map; no change to the boundary (Section 23.02(1)(h) of the RMC).

Mayor Halverson declared the public hearing open.

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

10. Ordinance Amendment on the above.

Ald. O'Meara **moved**, Ald. Slowinski seconded, to adopt the amended zoning code to adopt a newly formatted Traditional Neighborhood Overlay Map; no change to the boundary.

Roll Call: Ayes: Moore, Phillips, R. Stroik, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Doxtator.
Nays: None. Ordinance amendment is adopted.

11. Minutes and actions of the Finance Committee meeting of July 14, 2014 and the minutes of the Special Finance Committee meeting of July 7, 2014.

Ald. Patton **moved**, Ald. Phillips seconded, to approve the Finance Committee Minutes of July 14, 2014 and July 7, 2014.

Roll Call: Ayes: Doxtator, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion carried.

12. Minutes and actions of the Board of Public Works meeting of July 14, 2014.

Mayor Halverson stated the item to discuss is the timing requirement of the response for the RFP related to parking. He stated that Dir. Ostrowski is very concerned about the timeframe for that and would like the RFP response in 60 days rather than 30 days.

Ald. O'Meara **moved**, Ald. Doxtator seconded, to approve the Board of Public Works meeting of July 14, 2014 and raise the response time to the RFP from 30 days to 60 days.

Ald. Moore said he had several questions regarding the need for a parking study. He said the University had just completed one not long ago and he wanted to know if this was included as well as how much it will cost.

Mayor Halverson replied that part of the RFP process will contain the cost of the parking study. The core of the study will be the change in dynamics specifically from a city street perspective. The UW study was not complete.

Dir. Ostrowski stated the RFP is two fold. It will look at how parking is currently regulated and how it might be regulated more efficiently in the future. In terms of cost, it depends on how broad the proposal goes.

Mayor Halverson stated that consideration needs to be given to the amount of revenue that would be generated through this.

Chief Ruder stated that his department went from 1 parking enforcement officer to 3 part-time officers, which increased the number of citations, raising revenue by approximately 60%. This will bring out more consistent enforcement. A benefit from the kiosk, which has an application feature for smart phones to renew the meter, would be a service to citizens.

Roll Call: Ayes: Moore, Phillips, R, Stroik, Patton, Trzebiatowski, M. Stroik, Wiza, O'Meara, Suomi, Doxtator.
Nays: None.

13. Minutes and actions of the Public Protection Committee meeting of July 14, 2014.

Carolyn Faust, 1301 6th Avenue #9, stated she attended last week's meeting and was unclear if she was granted her bartending license.

Mayor Halverson said that as it currently stands, the license will not be renewed, unless given her arguments, the Common Council agrees to review it.

Ms. Faust stated this is her first and will be her only offense and is working extremely hard to get off probation early. She stated that she takes full responsibility for her actions and she is at fault.

Ald. Trzebiatowski asked Chief Ruder if the violations Ms. Faust had were felonies or misdemeanors. Chief Ruder stated they were misdemeanors.

Mayor Halverson spoke to the character of Ms. Faust.

Chief Ruder stated that Ms. Faust can still bartend as long as there is a licensed bartender on the premises.

Ald. Wiza stated he would abstain from the vote.

Ald. Moore stated he would abstain from the vote.

Ald. Slowinski stated he appreciated the effort she is making to improve and learn from mistakes, but there are consequences for actions.

Ald. Slowinski **moved** Ald. M. Stroik seconded to approve the minutes of the Public Protection meeting of July 14, 2014.

Roll Call: Ayes: Majority.
Nays: None. Motion carries.

14. Ordinance Amendment – Peace and Offenses – Amend Municipal Court Cash Deposit Process (Sect. 24.27(2) and Exhibit A of Sect. 24.27 of the RMC).

Ald. Wiza **moved**, Ald. Moore seconded, to approve the ordinance amendment.

Roll Call: Ayes: Doxtator, Suomi, O’Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Ordinance approved.

15. Minutes and actions of the Personnel Committee meeting of July 14, 2014.

Ald. Phillips **moved**, Ald. Doxtator seconded to approve the minutes and Actions of the Personnel Committee meeting of July 24, 2014.

Roll Call: Ayes: Majority.
Nays: None. Motion carried.

16. Minutes and actions of the Board of Water and Sewerage Commissioners meeting of July 14, 2014.

Ald. Patton **moved**, Ald. Slowinski seconded, to approve the Board of Water and Sewerage Commission meeting of July 14, 2014.

Ald. Doxtator stated he had a question concerning the Highland property. Dir. Lemke stated that there was a request to split the cost between the two parties, \$75,000 each.

Roll Call: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, Slowinski, M. Stroik, W iza, O’Meara, Suomi, Doxtator.
Nays: None. Motion carried.

17. Minutes and actions of the Police and Fire Commission meetings of July 1, 2014.

Ald. Patton **moved**, seconded by Ald. Doxtator to approve the minutes and actions of the Police and Fire Commission meeting of July 1, 2014.

Ald. Suomi asked for clarification concerning the Chief recruitment process and the minimum requirements for the position.

Mayor Halverson stated the only residency requirement currently is 15 miles from the city limits.

Roll Call: Ayes: Majority.
Nays: None. Motion carried.

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

Ald. Slowinski **moved**, Ald. O'Meara seconded, to approve the monthly Financial Report of the Comptroller-Treasurer.

Roll Call: Ayes: Majority.
Nays: None. Motion carried.

19. Mayoral Appointment:

**Portage County Public Transportation Coordinating Committee -
Karalyn Peterson, 5540 Glenwood Avenue.**

Ald. Patton **moved**, Ald. O'Meara seconded, to approve the appointment of Karalyn Peterson to the Portage County Public Transportation Coordinating Committee.

Ald. Wiza said he would vote against this nomination, citing he was not familiar with the individual and her qualifications.

Mayor Halverson stated she is a current member of the Transportation Commission.

Ald. Phillips said that he will vote against any appointment to Portage County Transportation Committee.

Mayor Halverson stated that the mission of this appointment is to bring the two committees together to work seamlessly on projects.

Ald. Slowinski stated if there are ways to incorporate both services, there would be cost savings.

Roll Call: Ayes: Majority.
Nays: Minority. The motion carried.

21. Motion to enter into closed session (approximately 8:30 p.m.) pursuant to section

19.85(1)(e) Wis. Stats., for the 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, relating to the following:

- a. Negotiating the lease/rental of the Portage County Public Library Building, 1001 Main Street, with Portage County, and
- b. Negotiating the terms of a development agreement with SkyGroup, LLC.

Ald. Moore moved, Ald. Phillips seconded to adjourn into closed session.

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

Nays: None.

22. **Adjournment.**

The meeting was adjourned at 10:00 p.m.