

**City of Stevens Point
REGULAR COUNCIL MEETING**

Council Chambers
County-City Building
1516 Church St

August 17, 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, City Attorney Beveridge, C/T Ladick, Directors J. Lemke, Ostrowski, Schatschneider, Schrader, City Assessor Shepro, Administrative Assistant Pazdernik, Nate Enwald, Portage County Gazette; Brandi Makuski, City Times; Sari Lesk, Stevens Point Journal, Larry Lee, WSAU.

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

Mayor Wiza stated he would forego his opening remarks due to a fairly long speaker list.

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 stated anyone who wished to register to speak, please do so now.

4. Presentation of Outstanding Citizen Certificate to Rollie Vallin.

Mayor Wiza read a proclamation and commended Rollie Vallin's selfless and extraordinary act of heroism in saving a young woman's life on July 5, 2015 at Riverfront Rendezvous. He extended his personal gratitude in Mr. Vallin exhibiting great citizenship.

Interim Police Chief Skibba gave Mr. Vallin a coin of recognition from the Stevens Point Police Department for his quick thinking and action.

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

No one wished to address the Mayor and Council.

Consideration and Possible Action on the Following:

6. Minutes of the Regular Common Council meeting of July 20, 2015.

Ald. Phillips **moved**, Ald. Mrozek seconded, to approve the minutes of the Regular

Common Council meeting of July 20, 2015.

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

7. Minutes and actions of the Plan Commission meeting of August 3, 2015.

Mayor Wiza clarified item #6 on the Plan Commission minutes. He stated item #6 was a 3-3 tie vote and that meant the motion failed.

Ald. Doxtator **moved**, Ald. Morrow seconded, to approve the minutes and actions of the Plan Commission meeting of August 3, 2015.

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

8. Resolution – Conditional Use Permit – 1055 Main Street to construct and permit a multiple family use on the second floor.

Ald. Doxtator **moved**, Ald. McComb seconded, to approve the Conditional Use Permit for 1055 Main Street to construct and permit a multiple family use on the second floor.

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 – Rezone approximately 20 acres between West River Drive and West Zinda Drive from "R-2" Single Family Residence District to "R-3" Single and Two-Family Residence District.

Mayor Wiza stated discussion on this item would be just the rezoning.

Scott Frazer, 1849 West Cottage Street, stated he was in favor of keeping the current zoning single family.

Angela Roltgen, 208 W. Pleasant, stated her family bought their property because it was zoned for single family use. She added the R-2 designation is very compatible with the neighborhood while an R-3 designation would encourage more transition and transient living and distract from the single family neighborhood.

Wes Halverson, 430 W. Mapleridge Dr., stated he is speaking in support of his neighbors maintaining single family zoning. He is concerned the quality of duplexes would not equal the quality of the current homes and those duplexes, used as rental property, would become degraded.

Lynette Kvatek, 216 W. Pleasant, urged the City Council to keep the current zoning. She added there is not a lot of turnover in property ownership and this is a longstanding, stable neighborhood.

Gil Kvatek, 216 W. Pleasant, stated he feels the same as the previous speakers. He stated the neighborhood integrity should come before a builder's bottom line and would like to see this area remain zoned single family.

Eleanor Cichosz, 516 W. Mapleridge Dr., stated she is concerned with the drainage and runoff in the area and is against rezoning.

Thomas Roltgen, 208 W. Pleasant St., stated he feels a change in rezoning would degrade the neighborhood.

Elizabeth Anderson, 1817 W. Zinda Dr., stated she bought the property adjacent to the empty lots and she is concerned rezoning to twin homes/duplexes would allow for rental properties. She added she is concerned about the water/wetland area and how future construction would affect drainage.

Kenneth Anderson, 1817 W. Zinda Dr., stated he bought in this neighborhood with the understanding that it was zoned single family. He added with the reopening of Jackson School, this would encourage more single family construction.

Mark Brandt, 460 W. Mapleridge Dr., stated rezoning would not benefit the neighborhood. He added he wants to know his neighbors and not have transitional living spaces for people.

Ald. Mrozek stated she understands the uniqueness of the neighborhood. She added once the property is rezoned, there would be nothing to prevent Mr. Pritchard from selling the property and another builder constructing twin homes that would not be up to the quality and standards of what Mr. Pritchard builds.

Ald. Kneebone stated she is opposed to this rezoning. She stated these people bought with the specific understanding this was single family and it would be unfair to try to change the zoning at this time. She is concerned about the wetlands, drainage and an increase in building density with proposed zoning changes.

Ald. McComb stated she does not think this is a good idea and the construction of multi-family homes would add to road congestion.

Ald. Ryan **moved**, Ald. Kneebone seconded, to deny rezoning of the approximately 20 acres between West River Drive and West Zinda Drive from "R-2" Single Family Residence District to "R-3" Single and Two-family Residence.

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

10. Memorandum of Understanding between the City of Stevens Point and the Stevens Point Area Public School District regarding the construction of buildings at Mead Park.

Mayor Wiza stated this was a great example of cooperation between two public entities to do good in the community.

Ald. Doxtator **moved**, Ald. Mrozek seconded, to approve the Memorandum of Understanding between the City of Stevens Point and the Stevens Point Area Public School District regarding the construction of buildings at Mead Park.

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

11. Minutes and actions of the Personnel Committee meeting of August 10, 2015 and actions taken at the Special Personnel Commission meeting of August 17, 2015.

Ald. Slowinski stated he would abstain from this vote.

Ald. Phillips **moved**, Ald. Patton seconded, to approve the minutes and actions of the Personnel Committee meeting of August 10, 2015 and the actions taken at the Special Personnel Committee meeting of August 17, 2015.

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

12. Memorandum of Understanding between the City of Stevens Point and the IAFF Local 484.

Fire Chief Finn stated the extension to October 1, 2015 would allow the Fire Department to reevaluate and refine the evaluation process.

Ald. Mrozek **moved**, Ald. Oberstadt seconded, to approve the Memorandum of Understanding between the City of Stevens Point and the 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.

13. Minutes and actions of the Public Protection Committee meeting of August 10, 2015 and the Special Public Protection meeting of August 17, 2015.

City Clerk Moe recapped the actions of the Special Public Protection meeting of August 17, 2015. He stated this was held to approve a Team Schierl and Mada Pink Week Activities that required a partial street closing on a section of Fourth Avenue. The motion was adopted.

Ald. Slowinski **moved**, Ald. Van Stippen seconded, to approve the minutes and actions of the Public Protection Committee meeting of August 10, 2015 and the actions of the Special Public Protection meeting of August 17, 2015.

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

14. Ordinance Amendment – Amend deposit amount for possession of Marijuana (Section

24.52(4)(a) of the RMC).

Pete Shuda, 800 Third Street, stated he was opposed to this ordinance amendment and thought the fine should be increased to deter drug sales and use.

Ben Kollick, 1372 North Second Drive, stated the fine should reflect the severity of the crime and he is in favor of this ordinance amendment.

Ald. Morrow stated in his profession he deals with drug abuse on a daily basis and is not in favor of this amendment.

Ald. Kneebone stated the fine for cruelty to animals, exposing a minor to pornography and battery to a firefighter all carry a \$100.00 fine while possession of 5 grams of marijuana carries a \$300.00 fine for a first offense. She asked if these fines reflect the severity of the crime.

Ald. Doxtator **moved**, Ald. Van Stippen seconded, to approve the ordinance amendment reducing the deposit amount for possession of marijuana from \$300.00 to \$100.00.

Ald. Patton stated that marijuana is much more powerful today and he is not in favor of this amendment and it is still illegal.

Ald. Kneebone stated drug abuse education is better than punitive fines to curb use/abuse.

Ald. Phillips stated he was against the amendment and asked that it be postponed until February. He believes the state will address this in February and municipal changes should wait until a clear determination is made at the state level.

Call for the Vote: Ayes: Ald. McComb, Kneebone, Van Stippen, Oberstadt, Ryan, Mrozek, Doxtator.

Nays: Ald. Morrow, Phillips, Patton, Slowinski. Motion adopted.

15. Minutes and actions of the Board of Public Works meeting of August 10, 2015.

Ald. McComb **moved**, Ald. Oberstadt seconded, to approve the minutes and actions of the Board of Public Works meeting of August 10, 2015.

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

Nays: None. Motion adopted.

16. Ordinance Amendment – Amend parking restrictions on sections of Phillips Street and Dixon Street and amend the speed limit on Main Street in the Downtown area (Sections 9.05(a),(g),(j) and 9.02(b)2 of the RMC).

Ald. Ryan **moved**, Ald. Doxtator seconded, to approve to amend the parking restrictions on sections of Phillips Street and Dixon Street and amend the speed limit on Main Street in the downtown area.

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

17. Minutes and actions of the Finance Committee meeting of August 10, 2015.

Ald. Phillips stated the cost of the handrails at the Lincoln Center were extravagant and asked if they could have been done in-house for less.

C/T Ladick stated both he and Director Schatschneider looked at the handrails as well as the contract regarding facility management. He stated according to the contract, the County is to handle the facilities portion of bids and contracts.

Ald. Patton asked if a City Director would be able to solicit for bids and forward them onto the County Facilities Manager.

C/T Ladick stated it was important for one entity to solicit and review bids.

Director Schatschneider stated the current handrails were iron, rusted, worn and chipped. He stated they will be replaced with stainless steel, which is more expensive but also more durable. Dir. Schatschneider stated it is a good value.

Ald. Morrow **moved**, Ald. Van Stippen seconded, to approve the minutes and actions of the Finance Committee meeting of August 10, 2015.

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

18. Resolution – Budget Amendment related to the creation of an IT position and settlement of the labor agreement with the Stevens Point Police Officers Organization.

Ald. Slowinski **moved**, Ald. Van Stippen seconded, to approve the budget amendment related to the creation of an IT position and settlement of the labor agreement with the Stevens Point Police Officers Organization.

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

19. Minutes and actions of the Board of Water and Sewerage Commissioners meeting of August 10, 2015.

Ald. Doxtator **moved**, Ald. Morrow seconded, to approve the minutes and actions of the Board of Water and Sewerage Commission meeting of August 10, 2015.

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 Police and Fire Commission meeting of July 7, 2015 and the Special Police and Fire Commission meeting of July 21, 2015.

Ald. Morrow **moved**, Ald. Phillips seconded, to approve the minutes and actions of the Police and Fire Commission meeting of July 7, 2015 and the Special Police and Fire Commission meeting of July 21, 2015.

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

21. Minutes and actions of the Transportation Commission meeting of August 13, 2015.

Ald. McComb **moved**, Ald. Kneebone seconded, to approve the minutes and actions of the Transportation Commission meeting of August 13, 2015.

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

22. Minutes and actions of the Airport Commissioners meeting of August 10, 2015.

Ald. Mrozek **moved**, Ald. Doxtator seconded, to approve the minutes and actions of the Airport Commissioners meeting of August 10, 2015.

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

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

Ald. Slowinski **moved**, Ald. Phillips 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.

**24. Mayoral Appointments:
Police and Fire Commission**

Ald. Kneebone stated diversity is needed on this Commission and questioned why a woman was not selected.

Ald. Oberstadt asked Mayor Wiza to outline the qualifications of Mr. Moore.

Mayor Wiza stated there were several qualified candidates to choose from. He stated Mr. Moore stood out because he has more knowledge and experience with the Police and Fire Commission as well as municipal government.

Ald. McComb stated she was disturbed by the lack of diversity on this Commission and asked when another opening would allow for a female appointment.

Mayor Wiza stated an opening would occur next year.

Ald. Patton **moved**, Ald. Morrow seconded, to approve the Mayoral Appointment of Jerry Moore to the Police and Fire Commission.

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

25. Transfer of title of Edgewater Manor from the Redevelopment Authority of the City of Stevens Point to the City of Stevens Point.

Mayor Wiza stated this agenda item is about the City accepting the transfer of Edgewater from the Redevelopment Authority. He said it would not be about funding, leasing, selling, fixing or remodeling the property.

Director Ostrowski stated the Redevelopment Authority met on August 11, 2015. He stated statutorily, the RA can only operate under a redevelopment plan and Edgewater is not part of a redevelopment plan. He stated the RA has no power to accept funding or to borrow for any repairs. Dir. Ostrowski added the only way the RA would have any power would be if a redevelopment plan was established. He stated the cleanest way to handle Edgewater would be to have one entity involved therefore, the RA voted to transfer the facility over to the City of Stevens Point. Dir. Ostrowski stated this vote would be to accept the transfer, then a meeting in September would be held to discuss the options and then convene a meeting in October to make a final decision concerning future plans for the facility.

Mayor Wiza stated this was the cleanest way to handle Edgewater. He stated this vote is about the City accepting the transfer and not about a loan, repairs or the sale of Edgewater. Mayor Wiza added that on September 9, 2015 there would be a special meeting to discuss options concerning Edgewater. He stated then in October another special meeting would be held to discuss what to do with the property.

Ald. Patton asked what the legal ramifications would be if the City Council did not accept the transfer and voted to return it to the Redevelopment Authority.

Director Ostrowski stated it would become a struggle and Edgewater would continue to operate, but would not renew leases and eventually it would shut down. He added there are very little options available to the RA concerning Edgewater. Dir. Ostrowski stated Edgewater Manor was never part of a redevelopment plan and statutorily, the RA has no power to operate or carry out any plans for the facility.

Ald. McComb asked if the transfer was accepted, who would handle the finances and would the City have control of the checkbook and trust fund.

Director Ostrowski stated the City currently does not have power over the Housing Trust Fund account or the checkbook and these are separate accounts. He recommended the checkbook, all proceeds and liabilities transfer to the City but not to transfer the Housing Trust Fund.

Ald. Van Stippen asked why the Housing Trust Fund would not be transferred to the City.

Dir. Ostrowski stated the trust fund serves a unique purpose for the City in that it has provided loans to low income individuals and he would not want to see the principle reduced in the trust fund.

C/T Ladick stated all options concerning the Housing Trust Fund needs to be considered.

Ald. McComb asked if the transfer was accepted tonight, does a decision on the trust fund need to occur as well or can that be made at a later time.

City Attorney Beveridge stated he was uncomfortable with the direction of the conversation as this was not an agenda item for discussion.

Ald. Mrozek asked for clarification concerning Edgewater assets, which would include the Housing Trust Fund.

City Attorney Beveridge said the Housing Trust Fund is completely separate from Edgewater and does not need to be owned or controlled by the same entity.

Dir. Ostrowski stated the Housing Trust Fund is really the only source of funds for redevelopment in the City. He added if Edgewater cannot survive on its own, cannot pay its debts, then consideration needs to be given if the City should continue to own it. Dir. Ostrowski said there were two opportunities to sell Edgewater for approximately \$1 million, which would have provided income to the City. He recommended the Housing Trust Fund stay with the RA.

Barb Jacob, 1616 Depot St., urged the City Council to accept the transfer of Edgewater from the Redevelopment Authority.

Mary Meyer, 1450 Water Street, Apt. 302, asked the City to accept Edgewater from the Redevelopment Authority. She stated Edgewater currently has a 10% vacancy rate, up from a previous 30% vacancy rate.

Cathy Dugan, 615 Sommers St., stated the City needs to assist Edgewater and there are many opportunities to do that. She added the City is better equipped to assist Edgewater and the residents.

Ald. Slowinski **moved**, Ald. Van Stippen seconded, to approve and accept the transfer of Edgewater from the Redevelopment Authority to the City of Stevens Point.

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

26. **Enter into closed session under Wisconsin Statutes 19.85(1)(e) (the deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining**

