

**City of Stevens Point  
REGULAR COUNCIL MEETING**

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

**February 20, 2017  
7:00 P.M.**

**Mayor Mike Wiza, Presiding**

**PRESENT:** Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson, Kneebone, Dugan, McComb, Phillips, Morrow.

**EXCUSED:** Ald. Slowinski.

**OTHERS**

**PRESENT:** Attorney Beveridge, Clerk Moe, C/T Ladick, Dir. Schrader, Dir. Ostrowski, Dir. Lemke, Coord. Kordus, Manager Jakusz, Police Chief Skibba, Fire Chief Finn, Nate Enwald, Portage County Gazette

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

Mayor Wiza recognized the public service of former Director of Public Works Scott Shatschneider.

Former Dir. Shatschneider thanked the Mayors, Council members, and co-workers he worked with during his time at the City.

Mayor Wiza introduced the new Neighborhood Improvement Coordinator Mark Kordus.

Coord. Kordus stated his intention to clean up orders, encourage voluntary compliance, create new code for existing properties and address specific district concerns.

**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 reminded citizens to register at this time.

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

Rick Whipp, 2016 Main Street; proposed that 50% of the revenues generated by the parking kiosks and permits go to programs for AODA prevention and interpersonal violence prevention programs for 5 years in order to make the community safer. He stated once these programs are funded and operational, there will be less violence, vandalism and will provide for a better community.

Clerk Moe reminded the public of the Spring Primary Election on February 21<sup>st</sup>.

## **5. Presentation by Matthew Clark, Challenge Academy Graduate.**

Matthew Clark introduced Challenge Academy Deputy Director Peter Blum.

Deputy Dir. Blum outlined the Challenge Academy as an answer to the Wisconsin high school dropout problem. He said the Challenge Academy creates a controlled environment for kids. Deputy Dir. Blum stated that as a quasi-military program, the Challenge Academy also teaches kids the art of self-discipline. He said he wanted to bring awareness of the program to Stevens Point due to a recent decrease in students from the area.

Mayor Wiza asked for contact information for the Academy.

Deputy Dir. Blum provided contacts of 608-269-9000 and challengeacademy.org.

Ald. McComb reflected on the success of a previous graduate of the Challenge Academy.

Deputy Dir. Blum presented Packer hats to members of the Council.

## **6. Presentation by Parks and Recreational Services Director Tom Schrader, Annual Report on Parks Usage.**

Dir. Schrader stated last summer there were 249 lodge rentals, resulting in an estimated 19,000 people that generated approximately \$35,000. He said there were 33 meeting room rentals and 110 gym rentals. He estimated that Pfiffner Park special events, including Riverfront Rendezvous, draw approximately 100,000 people per year.

Dir. Schrader mentioned that Community Media uploaded to YouTube & social media the Fourth of July Parade, Riverfront Rendezvous fireworks, Christmas Parade, City training videos, Talking Point with the Mayor and over 500 TV program episodes on Channel 984. He said there were 350 agendas, 230 calendar events and 800 new documents or changes on the City website. He stated the radio station has been successful and well received.

Dir. Schrader mentioned the Forestry Department planted 269 trees, 27 annual beds, 10 downtown pots and installed their first rain garden by Mead Park. He said the annual tree survey inspected 214 trees and took down 46 Dutch Elm trees. Dir. Schrader mentioned through the Emerald Ash Borer Ribbon Program 550 ash trees were treated.

Dir. Schrader stated that the pool receives 24,000 people and had 20 Free Swims generating \$8,500.00 on weekends. He mentioned at Willett Arena about 3,500 people attended public skating, with 866 rental hours and 575 individuals in the Learn to Skate Program. Overall an estimated 150,000 visitors came through Willett Arena. He said between baseball and softball there were 1,065 total games played last summer.

Dir. Schrader said there were approximately 250,000 total visitors last year for special events.

Mayor Wiza thanked Dir. Schrader for the presentation, and highlighted the department's reach to people through social media, the radio station, mobile app and website.

### **Consideration and Possible Action on the Following:**

## 7. Minutes of the Special Common Council meetings of January 18 and January 31, 2017.

Trevor Roark, 601 Washington Ave; suggested two corrections to the January 31st, 2017 minutes: specifying that an amount loss was distinctive to Lot T and Lot Y 'costs' an amount per parking spot instead of 'yields.'

Ald. Dugan **moved**, Ald. Morrow seconded, to approve the minutes and actions of the Special Common Council meetings of January 18 and January 31, 2017 as amended.

Ald. Morrow appreciated learning the hidden costs associated with parking.

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

## 8. Minutes and actions of the City Plan Commission meeting of February 6, 2017.

1. Report of the January 3, 2017 meeting.
2. Request from Wayne Bushman for a sign variance to construct a freestanding sign exceeding the height requirement at 5101 Woodward Drive.
3. Preliminary subdivision plat review at two unaddressed properties located at the northwest intersection of Sunset Boulevard and Green Avenue.
4. Request from the City of Stevens Point to Amend Chapter 23: Zoning Ordinance of the City of Stevens Point Revised Municipal Code to define and permit short term rentals (Discussion Only).
5. Call for a public hearing for the amendment of Tax Incremental District 9.
6. Bicycle and Pedestrian Advisory Committee 2017 Goals and Objectives.
7. Request from the City of Stevens Point for project review to install major exterior façade improvements at Edgewater Manor, 1450 Water Street.
8. Proceeding with a rewrite of the Zoning Ordinance and other related development codes.
9. Community Development Department Monthly Report for January 2017.
10. Director's Update.

Ald. Johnson **moved**, Ald. Kneebone seconded, to approve the minutes and actions of the City Plan Commission meeting of February 6, 2017.

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

## 9. Resolution – Conditional Use Permit – Request to operate a tavern at 927-933 Main Street.

Ald. Doxtator **moved**, Ald. Johnson seconded, to approve the Conditional Use Permit to operate a tavern at 929 Main St.

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

## 10. Resolution – Conditional Use Permit – Request to reduce a street yard setback in order to construct an addition at 3601 Main Street.

Dir. Ostrowski stated the Conditional Use permit included a 5 foot setback of the parking lot to avoid a potential future right-of-way area and includes the installation of a sidewalk.

Ald. Phillips **moved**, Ald. Kneebone seconded, to approve the Conditional Use Permit to reduce a street yard setback in order to construct an addition at 3601 Main Street.

Ald. Johnson thanked Pineries Bank for including a pedestrian sidewalk.

Ald. Dugan appreciated the sidewalk inclusion due to frequent pedestrian use in the area.

Ald. Kneebone congratulated Pineries Bank on their expansion.

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

**11. Ordinance Amendment – Subdivision Control – Permit new lots to have access on a public or private street (Section 20.06(7)(e) of the RMC).**

Ald. Phillips **moved**, Ald. Doxtator seconded, to approve the Ordinance Amendment to permit new lots to have access on a public or private street (Section 20.06(7)(e) of the RMC).

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

**12. Ordinance Amendment – Streets, Alleys and Sidewalks – Create a pedestrian mall at Jefferson School on East Avenue from the south right-of-way of Jefferson Street to the north right-of-way of Oak Street (Section 16.09 of the RMC).**

Ald. Morrow **moved**, Ald. Johnson seconded, to approve the Ordinance Amendment to create a pedestrian mall at Jefferson School on East Avenue from the south right-of-way of Jefferson Street to the north right-of-way of Oak Street (Section 16.09 of the RMC).

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

**13. Occupancy Agreement – The City of Stevens Point and the Stevens Point Area Public School District, for the East Avenue Pedestrian Mall, bounded by Jefferson Street and Oak Street.**

Ald. Johnson **moved**, Ald. Ryan seconded, to approve the occupancy license agreement with the Stevens Point Area School District at Jefferson School.

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

**14. Agreement – Wisconsin Economic Development Corporation Connect Communities.**

Ald. Johnson **moved**, Ald. McComb seconded, to approve the agreement with the Wisconsin Economic Development Corporation Connect Communities.

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

**15. Minutes and actions of the Board of Public Works meeting of February 13, 2017.**

- 1. To accept the Director's Report and place it on file.**
- 2. Awarding the Piffner Pioneer Park Restroom Project #17-07 to Eagle Construction in the amount not to exceed \$372,772.50.**

Ald. Doxtator **moved**, Ald. McComb seconded, to approve the minutes and actions of the City Plan Commission meeting of February 6, 2017 with the exception of Item 3.

Ald. Phillips suggested that Item 3 be pulled, regarding the awarding of the Piffner Park Restroom project, for later consideration.

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

Ald. Phillips suggested sending the project back to be redesigned to be more affordable. He compared the cost of the City Hall building to the proposed Piffner Park restrooms, and suggested the money could be better spent elsewhere. Ald. Phillips compared the cost and functionality of the Mead Park bathrooms to those proposed at Piffner Park.

Ald. Johnson wondered if Ald. Phillips was suggesting a design-build strategy and if that would be permitted.

Ald. Phillips replied he considered a design-build strategy to be feasible.

Dir. Schrader thought a design-build strategy would not be legal. He compared the Mead Park bathrooms to those proposed at Piffner Park. He said the Piffner Park bathrooms are significantly larger, given the high usage of the park.

Ald. Morrow asked Dir. Schrader what the life expectancy of the renovated Piffner Park bathrooms would be.

Dir. Schrader replied approximately 30 to 40 years.

Ald. Morrow asked Dir. Schrader how the maintenance costs of the proposed Piffner Park bathrooms would compare to current costs.

Dir. Schrader stated maintenance costs would be similar and would have the benefit of having unisex bathrooms.

Ald. Morrow asked if there were funds available to cover costs.

C/T Ladick replied approximately \$240,000 remain from 2016 due to projects coming in under budget.

Ald. McComb asked if there would be energy or water usage improvements with the proposed renovation.

Dir. Schrader replied the water closets would be more water efficient and glass in the design would ensure less usage of artificial lighting.

Ald. Johnson wondered about the feasibility of a design-build strategy.

Atty. Beveridge replied a design-build strategy was not an option because its lack of transparency was prohibited by public bidding statutes.

Ald. Dugan stated her earlier opposition to the project, but considered the pressing need for this restroom, ADA compliance, the addition of a unisex/family bathroom and the comparative cost to other public restrooms as positives in its favor. She still had reservations regarding the design and the expensive roofline, but disliked the expense of a redesign. Ald. Dugan requested that on future projects the Parks Department reconsider costs and minimize building distractions from a park's natural beauty.

Ald. Phillips requested a return to the drawing board, stating minimal design work would be needed to renovate the roof.

Ald. Morrow stated the current state of the restroom justified the expense of the project.

Ald. Doxtator mentioned the importance of getting the project completed in time for the June 28<sup>th</sup> Riverfront Rendezvous.

Ald. McComb stated the aesthetic importance of design consistency in a park, citing Iverson Park buildings specifically.

Ald. Doxtator **moved**, Ald. Shorr seconded, to approve the Pfiffner Pioneer Park Restroom Project not to exceed \$372,772.50.

Call for the Vote: Ayes: Ald. Morrow, McComb, Dugan, Kneebone, Johnson, Oberstadt, Ryan, Shorr, Doxtator.  
Nays: Ald. Phillips. Motion adopted.

#### **16. Preliminary Resolution – Special Assessment for a section of Maria Drive for Sidewalk, Curb and Gutter reconstruction.**

Ald. Doxtator **moved**, Ald. Oberstadt seconded, to approve the Preliminary Resolution for a special assessment for a section of Maria Drive for sidewalk, curb and gutter reconstruction.

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

#### **17. Minutes and actions of the Personnel Committee meetings of February 13, 2017.**

1. **Amendment to Administrative Policy 1.11 Relocation Expenses.**
2. **Notice of Employee(s) Seeking Public Office.**

Ald. Johnson **moved**, Ald. Oberstadt seconded, to approve the minutes and actions of the Personnel Committee meetings of February 13, 2017.

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

**18. Ordinance Amendment – Officials, Boards, Employees – Qualifications – City Officers, Members of Commissions and Department Heads (Section 3.37 of the RMC).**

Ald. Shorr **moved**, Ald. Doxtator seconded, to approve the Ordinance Amendment.

Ald. Phillips asked if there was a mileage range for those working in protective services.

Atty. Beveridge stated statute allows for a residency requirement for protective services employees, but limits the requirement to within 15 miles of the city boundary.

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

**19. Minutes and actions of the Public Protection Committee meeting of February 13, 2017.**

1. License List.
2. Request to Hold Event/Street Closings.
3. Discussion on overnight on-street parking.
4. Appeal of service charge for property maintenance violation – 3264 Whiting Ave.
5. Committee members' ideas for future agenda items.

Ald. McComb **moved**, Ald. Ryan seconded, to approve the minutes and actions of the Public Protection Committee meeting of February 13, 2017.

Ald. Dugan requested changing the statement from "alternative parking" to "odd/even side parking" and adding "degradation of pavement" to her statement of concern for street parking.

Mayor Wiza said we can certainly go back to the video to confirm and if those changes clarify the statements then we will put them in the minutes.

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

**20. Minutes and actions of the Finance Committee meeting of February 13, 2017.**

1. Replacement of restrooms at Pfiffner Park.
2. Approval of Payment of Claims.
3. Closed session: Negotiating the purchase of properties in TIF District 6 (Downtown TIF District).

Ald. Doxtator **moved**, Ald. Morrow seconded, to approve the minutes and actions of the Finance Committee meeting of February 13, 2017.

Ald. Phillips expressed concern over the cost of the Pfiffner Park Restroom Project.

Call for the Vote: Ayes: Ald. Doxtator, Shorr, Ryan, Oberstadt, Johnson,  
Kneebone, Dugan, McComb, Morrow.  
Nays: Ald. Phillips. Motion adopted.

**21. Claim - Notice of Circumstances of Claim & Claim for Damages: Ashley Stark – damage due to pothole.**

C/T Ladick stated that after reviewing with the City's insurance company, in this situation where a vehicle hit a pothole, the City is not liable because spending on street repairs creates discretionary immunity.

Atty. Beveridge gave an example of ministerial liability versus discretionary liability.

Ald. Morrow **moved**, Ald. Oberstadt seconded, to deny the claim.

Ald. Kneebone expressed support for this constituent in her district.

Call for the Vote: Ayes: Ald. Morrow, Phillips, McComb, Dugan, Johnson,  
Oberstadt, Ryan, Shorr, Doxtator.  
Nays: Kneebone. Motion adopted.

**22. Claim - Notice of Circumstances of Claim & Claim for Damages: Kevin Flatoff – damage to vehicle.**

C/T Ladick stated this vehicle was parked overnight and had been sideswiped. The individual had speculated that the vehicle had been hit by a plow truck. However, there had been no paint rub onto the vehicle, City plow truck drivers had denied hitting it and the insurance company determined there was not enough convincing evidence of City equipment being involved.

Mayor Wiza stated the City has accepted responsibility when incidents occurred in the past.

Ald. Doxtator **moved**, Ald. Dugan seconded, to postpone action and request staff to provide copies of the police report and photographs or any other evidence in regards to this incident.

Ald. Oberstadt expressed support for the expert opinion of the City's insurance company.

Ald. Doxtator asked for the original estimate from Mr. Flatoff's daughter.

Manager Jakusz stated she has the estimate and asked if the matter should be sent back to the Finance Committee.

Ald. Doxtator replied yes.

Ald. Johnson asked to what extent this would be investigated at the committee or Council level.



Ald. Doxtator stated his concern about dismissing the claims.

C/T Ladick added that the requested additional information was supplied to the insurance company and the top liability claims adjustor recommended denying the claim based off of this information.

Ald. Phillips asked if the insurance company had recommended paying a claim in the past.

Atty. Beveridge replied claims are frequently paid without coming before the Council when liability and facts are clear. When denial of claims are recommended the matter is brought before the Council.

Ald. Shorr stated he was pleased that the City pays claims in other circumstances.

Ald. Doxtator **withdraws** his motion.

Ald. Johnson **moved**, Ald. Morrow seconded, to deny the claim.

Ald. Dugan appreciated further explanation regarding this claim.

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

Nays: Ald. Doxtator.

Abstains: Ald. Phillips. Motion adopted.

Ald. Phillips' friendship with the claimant were his grounds for abstention.

### 23. Minutes and actions of the Police and Fire Commission meeting of January 3, 2017.

1. Announcements
2. Discussion regarding pay plan placement of Assistant Chief – Fire Department
3. Discussion regarding Credit Card policy of the City of Stevens Point
4. Update on promotions within the Fire Department
  - Promotion to Assistant Chief, Captain and Lieutenant
5. Consent Agenda:
  - Fire Chief's Report/EMS Report
  - Police Chief's Report
  - Minutes of the December 6 and December 8, 2016 meetings
  - Bills – December 2016
6. Closed session for the following:
  - a. Firefighter/Paramedic applicant interview
  - b. Police officer applicant interviews (2)
  - c. Police Sergeant off probation interview
  - d. Police Department sergeant promotional interviews (2)
  - e. Police Department corporal promotional interviews (2)
  - f. Update regarding fire services to the Village of Park Ridge
  - g. Update on EMS contract negotiations
7. Reconvene into open session for possible action on Items 7(a), 7(b), 7(c), 7(d) and 7(e)

Ald. Kneebone **moved**, Ald. Morrow seconded, to approve the minutes and actions of the Police and Fire Commission meeting of January 3, 2017.

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

**24. Minutes and actions of the Transportation Commission meeting of February 2, 2017.**

1. Approval of the January 5, 2017 Transportation Commission minutes.
2. December 2016 financial report.
3. City/County consolidated services update.
4. Marshfield Clinic bus service request.
5. Manager's Report.

Ald. Johnson **moved**, Ald. Shorr seconded, to approve the minutes and actions of the Transportation Commission meeting of February 2, 2017.

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

**25. Minutes and actions of the Board of Park Commissioners of February 1, 2017.**

1. Approval of the December 7, 2016 Minutes.
2. Survey questions for Comprehensive Outdoor Recreation Plan.
3. Review 2016 Annual Usage Report.
4. Director's report.

Ald. McComb **moved**, Ald. Oberstadt seconded, to approve the minutes and actions of the Board of Park Commissioners meeting on February 1, 2017.

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

**26. Minutes and actions of the Board of Water and Sewerage Commissioners of February 13, 2017.**

1. Approval of minutes of the January 9, 2017 meeting.
2. Discussion and possible action on approval of department claims.
3. Discussion and possible action on engagement letter from Baker Tilly to complete a Water and Sewer Rate Study.
4. Report on water distribution operations.
5. Report on water supply operations.
6. Report on collection system maintenance.
7. Report on sewage treatment operations.
8. Discussion and possible action on a proposal for design services from Donohue & Associates for the WWTP Upgrade Project.
9. Report on storm water operations.
10. Director's Report.

Ald. Phillips **moved**, Ald. Kneebone seconded, to approve the minutes and actions of the Board of Water and Sewerage Commissioners meeting on February 13, 2017.

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

**27. Minutes and actions of the Airport Commission meeting of February 13, 2017.**

1. Approval of minutes of the January 9, 2017 meeting.

2. Discussion and possible action of department claims.
3. Airport Manager's Report.

Ald. Kneebone noted that there were many private planes from the municipal airport in use during the good weather.

Ald. Kneebone **moved**, Ald. Doxtator seconded, to approve the minutes and actions of the Airport Commission meeting of February 13, 2017.

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

### **28. Statutory Monthly Financial Report of the Comptroller-Treasurer.**

C/T Ladick stated the report ended with December 31<sup>st</sup> and can serve as a preliminary year-end report. He thanked the department heads for all coming in under budget.

Ald. Oberstadt **moved**, Ald. Shorr seconded, to accept the report and place it on file.

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

- \*29. Adjourn into closed session 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) for discussion of negotiations with the Stevens Point Area School District regarding construction of an access to a parking lot at 3049 Church Street.**

Ald. Phillips **moved**, Ald. McComb seconded, to adjourn into closed session.

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

The meeting was adjourned into closed session at 8:28 p.m.

### **30. Adjournment.**

The meeting was adjourned at 8:54 p.m.