

**CITY OF STEVENS POINT
SPECIAL COMMON COUNCIL MEETING**

**Police Department
933 Michigan Ave.**

**January 29, 2018
6:15 P.M.**

Mayor Mike Wiza, Presiding

PRESENT: Ald. Jennings, Shorr, Nebel, Oberstadt, Johnson, Slowinski, Kneebone, Dugan, McComb Phillips, Morrow.

EXCUSED: Ald. Oberstadt.

OTHERS

PRESENT: Clerk Moe, Attorney Beveridge, Dir. Beduhn.

Meeting was called to order at 6:15 p.m. and recessed until after the Board of Public Works meeting. Reconvened at 6:55 p.m.

Discussion and Possible Action on the Following:

2. Actions taken at the Special Public Works meeting of January 29, 2018.

1. Closed session on the following:

A. Status of negotiations with Toole Design Group for TAP Grant Design Consultant Services.

2. Reconvene into open session for possible action on the above closed session item.

Mayor Wiza said during the Board of Public Works meeting, a motion was made to terminate negotiations with Toole Design Group and enter into negotiations with SEH. He said the motion passed on a 3 – 2 vote.

Ald. Slowinski **moved**, Ald. Phillips seconded, to approve the actions taken at the Special Public Works meeting of January 29, 2018.

Ald. Nebel wished the Council would have had more time and information prior to the meeting. She said there is a lot of information and this has moved too quickly.

Ald. Dugan agreed with Ald. Nebel and would have liked more time to review the information prior to the Council meeting.

Mayor Wiza said Council is talking about this now because further delay could jeopardize the project's timeline. He said the City also asked Dir. Beduhn to keep negotiating with Toole.

Ald. Johnson thanked Dir. Beduhn for working with Toole and trying to get the project down to a more affordable rate. She thought it would have been beneficial to have the C/T available for the meeting and to have SEH's price list. Ald. Johnson thought the public should know that both companies were ranked very closely; however, Toole specializes in bike routing. She said SEH is very well qualified and specializes in multiple areas.

Mayor Wiza said the C/T has been made aware of everything that is going on. He said his vacation was planned well in advance and there was nothing they could do about it.

Call for the Vote: Ayes: Shorr, Slowinski, Phillips, Morrow.
 Nays: Jennings, Nebel, Johnson, Kneebone, Dugan,
 McComb. Motion failed.

Ald. McComb asked how this can be moved to the regular Council meeting.

Mayor Wiza said Ald. McComb would need to make a motion to postpone until the next Council meeting. He asked Dir. Beduhn how this would affect the timeline.

Dir. Beduhn said they are not being told they are approaching a timeline but has a feeling that discussion will be coming soon.

Mayor Wiza asked Ald. McComb if she makes a motion to postpone, that she ask for specific information that she needs to make a decision.

Ald. McComb said she would like to go back and look at the original two proposals.

Ald. Morrow suggested to have a Special Council meeting after the Plan Commission meeting.

Ald. Jennings **moved**, to approve the contract for the scope of work fund outlined at the \$ 81,000.

Mayor Wiza asked Attorney Beveridge if that was a proper motion.

Attorney Beveridge said the broader concern is the sources of the funds. He said if this comes out of Contingency or requires a budget amendment, the motion would need a two-thirds majority vote to pass.

Mayor Wiza said he thought it would need to come out of Contingency. He said if the Council wanted to take funds from one line item and add it to the budgeted line they could.

Ald. Jennings **moved**, Ald. Nebel seconded to approve the City entering a contract with Toole on the second proposal.

Attorney Beveridge said under the Finance Ordinance their motion needs a three-quarter majority vote of all members of the Common Council, which would be 9 votes.

Ald. Jennings said she does not believe this would be reckless spending with taxpayers' money for this design. She said the design should be done extremely well because it will go into the future. Ald. Jennings said doing things on the cheap upfront to save money it usually costs you more in the long run.

Mayor Wiza said the City has around \$55,000 to spend on the design phase.

Ald. Slowinski said this would consume a quarter of the City's Contingency Fund.

Mayor Wiza said each year the City budgets \$100,000 for Contingency.

Ald. Kneebone asked if there was time at the Finance meeting or the Council meeting in February to allocate money from another line item so it does not all come from Contingency.

Mayor Wiza said the Council could do something now or at a later time.

Ald. Johnson said she would feel uncomfortable making budget adjustments or re-allocating without having further discussion and without the C/T present. She said it bothers her to take \$25,000 from Contingency one month into the year.

Ald. Morrow said it would be hard to plan out what the City would need for the rest of the year as there are a lot of unknown situations that could occur. He said he liked the design that Toole presented; however, he is concerned about how scaled back it is.

Ald. Nebel said in reviewing this and the top option the only difference is one less project manager. She thinks that needs to be taken into consideration. Ald. Nebel said the City does not want to go with a company who does not have the experience as Toole does and have to be watching over the project constantly. Ald. Nebel said if the City is going to do this they are going to need to do it right the first time.

Attorney Beveridge said Stafford Rosenbaum employs Paul Kent who represented the City in the Well 11 matter. He said a different attorney is entering into representation with a developer in town that is going to be negotiating a development agreement with the City in specific regards to the K-Mart site. Attorney Beveridge said he does not see any problem with this as the two matters are not related.

Ald. Johnson **moved**, Ald. Slowinski seconded, to agree to the conflict of interest waiver for Stafford Rosenbaum LLP.

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

4. Adjournment.

Adjourned at 7:32 p.m.