

**CITY OF STEVENS POINT
REGULAR COUNCIL MEETING**

Council Chambers
County-City Building
1516 Church St.

July 16, 2018
7:00 P.M.

Mayor Mike Wiza, Presiding

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

EXCUSED: Ald. Jennings, Oberstadt.

OTHERS

PRESENT: Clerk Moe, Attorney Beveridge, C/T Ladick, Fire Chief Finn, Asst. Police Chief Zenner, Dir. Ostrowski, Dir. Lemke, Dir. Beduhn, Asst. Pazdernik, Joe Bachman – Stevens Point City Times, Alan Hovorka – Stevens Point Journal, Mike Leischmer – WSAU, Brandi Makuski – Metro Wire.

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

Mayor Wiza congratulated Ald. Oberstadt and her husband on their new baby. He congratulated Asst. Fire Chief Jodi Baganz on his retirement and thanked him for his years of service. Mayor Wiza congratulated Captain J.B. Moody on his promotion to Asst. Chief.

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.

Ald. Kneebone said her nephew's band, Sweet Sheiks, is going to be playing at the Levitt AMP concert series on Thursday, July 19. She said the concert will begin at 6:00 p.m. at Pfiffner Pioneer Park, and said food and refreshments are available. Ald. Kneebone said the Levitt AMP series has concerts the next couple of weeks on Thursday evenings.

Jenny Burton, 5718 Sandpiper Drive, said the American Suzuki Institute is going to be holding a two week camp which is expected to bring 1100 people to Stevens Point who will spend approximately \$1.5 million. She said there will be two major concerts held at Sentry; the first one is on Monday, July 23, and the second one will be on Monday, July 30, both of which start at 7:00 p.m. Ms. Burton said on Monday, Tuesday, and Thursday at 4:00 p.m. there are auditions for an honor recital. She said downtown businesses partnered with the American Suzuki Institute and will be having a scavenger hunt at the businesses. Ms. Burton said there will be a Welcome Ceremony held at the UWSP Sun-Dial on Sunday, July 22 at 7 p.m. Mayor Wiza will be welcoming everyone and representing the City.

Craig Tesch, 1100 Frontenac Avenue, said after last month's Council meeting he had delivered maps to the Mayor's Office and the Director of Public Works office showing areas without sidewalks located closer to schools than his home. He said this information was also emailed to the Alderpersons. Mr. Tesch said he purchased his home because it does not have any sidewalks near it and said that his property is less sellable due to sidewalks being installed. He believes the cost of the sidewalk should be shared between the homeowner and the City. Mr. Tesch said he is hoping for a reconsideration of the vote from last week.

Mayor Wiza suggested Mr. Tesch speak to the Chair of the Bicycle and Pedestrian Street Safety Commission to see if this could be put on the next agenda.

Clerk Moe, reminded citizens about the August 14th Partisan Primary. He spoke about the partisan election process and absentee voting. Clerk Moe said if residents have any questions they can contact his office.

5. Presentation by Kinsey Mannebach, Interim Kitchen Manager – Farmshed's Community Kitchen: Update on Farmshed.

Kinsey Mannebach said the mission of Farmshed is to grow a resilient local food community. She said in November they will be hosting the Local Food Fundraiser and the Farmer Tribute Dinner. Ms. Mannebach said they are currently doing their Local Food Investors Campaign, Power of We, and are looking for 150 volunteers to donate \$100 which would fund two AmeriCorps Volunteer Coordinators. She said they are also working on their frozen assets program which places orders with four local farms and purchase ten different vegetables which they process and freeze the food. Ms. Mannebach said more information can be found on their Facebook page or website: farmshed.org.

Consideration and Possible Action on the Following:

6. Consent Agenda:

- **Minutes of the Common Council meeting of June 18, 2018.**
- **Actions of the Police and Fire Commission meeting of June 5, 2018.**
 1. Donation of Prodeco Tech Stride 500 bike from Bruce Beaman
 2. Approval of Fire Department eligibility list (May 2018)
 7. Request to add one sworn police officer (2019)
 9. Call appreciation donation – Fire Department
- **Actions of the Transportation Commission meeting of July 9, 2018.**
 1. Approval of the June 2018 financial/claims report.
 2. Focus on Energy rebate incentive program.
 3. Gillig pre-production meeting, delivery date, and final bus costing.
 4. Automatic ADA door opener system bid award.
 5. SEON bus security system upgrade.
- **Actions of the Plan Commission meeting of July 2, 2018.**
 2. Report of the June 4, 2018 meeting
 7. Comprehensive Plan Update
 8. Zoning Code Rewrite
 9. Request from the Redevelopment Authority of the City of Stevens Point to purchase 1013 Second Street and 1016 Third Street
- **Minutes and actions of the Personnel Committee meeting of July 9, 2018.**
 1. Modifications to Central Transportation's Drug and Alcohol Testing Policy.
 2. Modifications to the City's DOT Drug and Alcohol testing policy.

3. Request for overlap of current Assistant Chief and newly appointed Assistant Chief, Fire Department.
- Minutes and actions of the Board of Public Works meeting of July 9, 2018.
 - Minutes and actions of the Public Protection Committee meeting of July 9, 2018.
 2. License List.
 3. Request to Hold an Event/Street Closings.
 - Minutes and actions taken at the Finance Committee meeting of July 9, 2018.
 3. Request for interest compensation-special assessment billing error-432 West St. N.
 4. Funding the cost for the Redevelopment Authority of the City of Stevens Point to purchase 1013 Second Street and 1016 Third Street.
 5. Transfer of funds from TID 5 to TID 6.
 6. Master Services Agreement – Task Order No. 2 with Stantec Consulting Services Inc. to perform services related to the Brownfield Community-Wide Assessment Grant.
 7. Rush fee for special assessment letters.
 8. Approval of Claims Paid.
 - Actions of the Board of Water and Sewerage Commissioners of July 9, 2018.
 4. Approval of department claims.
 - Actions of the Airport Commissions meeting of July 9, 2018.
 2. Establishment of cost/share on a Ground Communication Outlet (GCO).
 3. Department claims.
 - Statutory Monthly Financial Report of the Comptroller-Treasurer.
 - Mayoral Appointments: Redevelopment Authority, Supplemental Election Officials.

Mayor Wiza said after the Board of Public Works meeting Dir. Beduhn contacted other municipalities to see how they do their snow removal. He said Wausau and Marshfield have the same snow removal methods as Stevens Point. He said Wausau uses a contractor for downtown snow removal; Madison, Wisconsin Rapids, and Green Bay use tractors and shovels to remove the snow; and said Wisconsin Rapids only picks up the snow when the banks are two feet or higher. He said some Madison property owners have a snow removal contractor and some businesses pay a special assessment for the additional service.

Ald. Nebel said she wanted to have more discussion on the July 9, 2018 Board of Public Works minutes. She said she agrees that parking kiosks should be put in before the start of the school year. Ald. Nebel said she disagrees that the ordinance amendment should be approved and they see what happens.

Ald. Shorr said the main concern for snow removal is the damage it does to the curb and gutter. He said the current policy of snow removal is curb to curb and said the City needs to look into the policy.

Ald. Morrow **moved**, Ald. Phillips seconded, to approve the consent agenda.

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

7. Request to hire Assistant Fire Chief above Step 3 on the pay matrix.

Mayor Wiza said the policy states the City is able to hire up to a Step 3, and anything above that needs to be approved by Council.

Fire Chief Finn said the last two Assistant Fire Chiefs started at Step 5. He said he is asking for Step 5 because Assistant Chief Moody will be taking a pay cut to get promoted due to the loss of overtime.

Ald. Kneebone **moved**, Ald. McComb seconded, to approve the request to hire the Assistant Fire Chief at Step 5 on the pay matrix.

Ald. Johnson asked if hiring above the pay matrix allows the City to select the best applicant available for the position.

Fire Chief Finn said there was a hiring process and internal process. He said Assistant Chief Moody is more than qualified for this position.

Call for the Vote: Ayes: Shorr, Nebel, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

8. Temporary Extension of Licensed Premise: 13th Floor Canteen, 1109 Park Street, request for extension of licensed premise for a special event on July 21, 2018 to include a 30' x 35' area of the parking lot.

Mayor Wiza said normally this would have been on Public Protection; however, the owners are new and did not know the process.

Ald. Phillips **moved**, Ald. Morrow seconded, to approve the temporary extension.

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

9. Resolution – Conditional Use Permit Amendment – Amend the site plan requiring screening along the northern property line at 3349 Whiting Avenue.

Ald. Phillips **moved**, Ald. Johnson seconded, to approve the resolution for a conditional use permit amendment to amend the site plan requiring screening along the northern property at 3349 Whiting Avenue.

Call for the Vote: Ayes: Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Nebel, Shorr.
Nays: None. Motion adopted.

10. Ordinance Amendment – Zoning – Modify performance standards relating to utility uses (Section 23.02 (1)(a)(3) of the RMC, Creation of Section 23.02(1)(a)(5) of the RMC).

Ald. Morrow **moved**, Ald. Johnson seconded, to approve the ordinance amendment regarding zoning to modify performance standards relating to utility uses Section 2302 (1)(a)(3) of the revised municipal code and creation of Section 23.02 (1)(a)(5) of the revised municipal code.

Call for the Vote: Ayes: Shorr, Nebel, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

11. Resolution – Conditional Use Permit - Relocate an accessory structure at 600 Wilshire Boulevard North.

Ald. Nebel **moved**, Ald. Morrow seconded, to approve the resolution for a conditional use permit.

Call for the Vote: Ayes: Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Nebel, Shorr.
Nays: None. Motion adopted.

12. Ordinance Amendment – Zoning – Modify uses, performances standards, and design guidelines within the “B-TID5” overlay district (Section 23.02(2)(f) of the RMC).

Ald. Phillips **moved**, Ald. Shorr seconded, to approve the ordinance amendment regarding zoning to modify uses, performances standards, and design guidelines within the “B-TID5” overlay district Section 23.02(2)(f) of the revised municipal code.

Call for the Vote: Ayes: Shorr, Nebel, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

13. Consideration of Claim-Shiba Kar-Injury at Willett Ice Arena.

C/T Ladick said Mr. Kar tried ice skating for the first time and had a fall. He said the recommendation from the insurance company is to deny the claim because he was involved in a recreational activity.

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

Call for the Vote: Ayes: Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Nebel, Shorr.
Nays: None. Claim denied.

14. Development Agreement with K/M Stevens Point, LLC for the construction of two apartment buildings and a retail shopping center, and related improvements, at 111 Division St. N.

Ald. Morrow **moved**, Ald. Shorr seconded, to approve the developer’s agreement with K/M Stevens Point, LLC.

Call for the Vote: Ayes: Shorr, Nebel, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

15. Ordinance Amendment – Traffic – Updates to the multi-space kiosk parking zones (Sections 9.05(a),(d),(g),(j),(p) of the RMC).

Ald. Nebel said she would like to have this proposal postponed for further discussion in order to reduce confusion and address specific issues regarding enforcement and management of additional parking kiosks. She said if approved there will be some negative impacts such as: enforcement, no residential parking permits, kiosk parking is cheaper than parking in UWSP lots,

and there is no management plan.

Ald. Johnson said Lot R on campus is 75 cents per hour, and it seems ludicrous to charge a lesser fee on the street adjacent to the parking lot.

Mayor Wiza said Ald. Johnson could amend the ordinance and charge 75 cents or a different amount.

Ald. Johnson said she feels the ordinance is not well written.

Ald. Johnson **moved**, Ald. Nebel seconded, to postpone action.

Ald. Slowinski said he is concerned with the postponement and the upcoming school year.

Mayor Wiza requested Ald. Nebel ask any questions she has to see if they can be answered at the meeting.

Ald. Nebel said it should be enforced from 6:00 a.m. to 5:00 p.m. and said there is not enough staff to enforce the ordinance. She asked how the City is going to make sure there are reasonable parking spots for local residents.

Mayor Wiza said one of the reasons the City went with the license plate reader is because of staffing issues.

Ald. Nebel said the City does not have the staff to enforce the parking restrictions at 6:00 a.m.

Mayor Wiza said the City is not adding additional parking, they are simply moving the kiosks. He said he will have Asst. Chief Zenner speak on staffing and that they are not going to hire additional staff.

Ald. Nebel asked why charge for parking if the City is not going to enforce it.

Mayor Wiza said the City enforces to the best of our ability. He said if the Council would like to hire additional CSOs now would be the time to review.

Ald. Nebel said additional staff should have been included in this discussion before it goes into effect.

Mayor Wiza confirmed with Ald. Nebel that another concern is parking availability for residents.

Ald. Nebel read an email from Dir. Bedhun in which he said if Council waited until August he could look at other possible changes and other areas could be added that would not impact residents. She said there were no public meetings except for the one she had. Ald. Nebel said she was told there would be another meeting before the ordinance changes went to the Council but there was never a meeting.

Mayor Wiza told Ald. Nebel if she wanted to make changes to the price or permits and add a location she could do that.

Ald. Nebel said the decisions should be made in two weeks after there has been time to look at this and decisions have been made.

Attorney Beveridge said the ordinance does not set the amount that is charged for parking.

Mayor Wiza asked Dir. Beduhn if three weeks will allow enough time to install the kiosks.

Dir. Beduhn said his hope was to get a partial plan tonight and make changes to the plan next month in order to get started on setting up the kiosks.

Mayor Wiza asked Attorney Beveridge if Council could approve the ordinance tonight and not have it take effect until after Council looks at it next month.

Attorney Beveridge said Council could do that. He said the City does not need an ordinance to install a kiosk, it only needs an ordinance to enforce parking restrictions.

Mayor Wiza said it is not worth wasting staff time putting parking kiosks in if it may not even need to go in.

C/T Ladick said the Police Department tries to enforce parking as it generates over \$150,000 in parking tickets each year. He said the day after the constituent meeting he, Dir. Beduhn, and Asst. Chief Zenner sat down and took the feedback to heart. He said they tried to incorporate the feedback in the ordinances.

Ald. Nebel said a parking study done shows there should be parking there but no long term parking to accommodate the neighbors. She said parking on properties will not stop until it is enforced. Ald. Nebel said there was a parking enforcement officer but that was taken away. She said the only way anything gets taken care of is by complaint.

Mayor Wiza said that complaints are not the only way items get resolved. He said the Neighborhood Improvement Coordinator uses complaint based supervision and he also does rounds. Mayor Wiza said the City does not have the resources to catch every violation every time it happens.

Ald. Nebel said once a week of patrolling is not enough.

Attorney Beveridge said discussion of property maintenance is outside of the scope of the agenda item.

Ald. Nebel said the Police Department does the best they can. She said if the Council is looking at this as a revenue source then it needs further review without tunnel vision.

Mayor Wiza asked Attorney Beveridge if he thought any of Ald. Nebel's concerns could be addressed in the ordinance.

Attorney Beveridge said the concerns regarding permit systems for homeowners in the area can be addressed.

Mayor Wiza asked Attorney Beveridge if he thought the permit system for homeowners could be better defined than what is us currently in the ordinance.

Asst. Chief Zenner said there are three part-time personnel who enforce parking. He said the Police Department does not anticipate bringing on additional staff. Asst. Chief Zenner said there is a way that their staff can cover a larger area, but it cannot be covered 24/7.

Ald. Shorr called for the question.

Call for the Vote: Ayes: Morrow, Phillips, McComb, Dugan, Kneebone, Slowinski, Johnson, Nebel, Shorr.
Nays: None. Motion approved.

Mayor Wiza said the motion on the floor is to postpone action until August 13th to further hone the residential permit area and specify permit only parking areas.

Ald. Johnson amended her motion to postpone until a date at which we can convene a special Common Council meeting to address the issue. Ald. Nebel seconded.

Mayor Wiza restated the motion on the floor is to postpone action until we can convene at Council to further hone the residential permit specifications including a defined area.

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

16. Ordinance Amendment – Traffic – On-street overnight parking and “No Parking Here to Corner” restrictions (Sections 9.05(j),(l)(1) of the RMC).

Ald. Morrow **moved**, Ald. Slowinski seconded, to approve the ordinance amendment regarding traffic related to on-street overnight parking and “No Parking Here to Corner” restrictions Sections 9.05 (j), (l)(1) of the Revised Municipal Code.

Ald. Dugan said surrounding communities have overnight parking but do not charge for it or have parking permits. She said Wisconsin Rapids and Wausau have alternating side overnight parking. Ald. Dugan said Marshfield is similar to Wisconsin Rapids but only from May 1st to October 31st. She said Plover has the same opposing street night parking but not during winter. Ald. Dugan said overnight parking should be simple and free.

Ald. Shorr **moved**, Ald. Johnson seconded, to amend number six to say: the fine will be waived upon appeal of a vehicles first violation.

Mayor Wiza asked Ald. Shorr if he wanted it to be a vehicles first violation or a person’s first violation.

Ald. Shorr said he is open to whichever would work better.

Attorney Beveridge said the fine is not defined in the statute the Council is discussing, so which one. He said it is purposely being obtuse. Attorney Beveridge said it would be good to state to whom the appeal should be made to and have a process laid out. He asked if the first violation applies to a year, a vehicles lifetime, etc.

Mayor Wiza asked Attorney Beveridge if he felt comfortable formulating the ordinance amendment so it could be discussed tonight. He also asked Asst. Chief Zenner if he wanted to discuss the appeals process that is in place and his thoughts regarding staffing for overnight parking.

Asst. Chief Zenner said the appeals process is through a website and the ticket is linked to the

vehicle. He said appeals go to the Administrative Sargent for review. Asst. Chief Zenner said there is one part-time CSO who can cover as well as one part-time on call staff.

Mayor Wiza asked if the first ticket by license plate would be waived upon appeal.

Attorney Beveridge replied yes.

Ald. Shorr withdrew his amendment to the motion as there were no objections.

Ald. Johnson said she brought this issue up a few years ago. She said if City residents are going to be using City infrastructure as an extension of their property, it seems appropriate to charge a fee just like people pay a fee to park during the day.

Ald. Kneebone asked how much overnight parking was prior to the proposed \$3.

Mayor Wiza said it was free; however, residents had to have a legitimate reason.

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

17. Enter into closed session pursuant to Wisconsin Statutes 19.85(1)(g) for the purposes of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, relating to the following:

a. Appeal of the Board of Zoning Appeals decision of July 12, 2018, relating to the variance request for the property located at 410 Fourth Avenue (Parcel ID 281240830401909).

Ald. Phillips **moved**, Ald. Slowinski seconded, to go into closed session.

Call for the Vote: Ayes: Shorr, Nebel, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

18. Reconvene into open session (approximately 30 minutes after entering into closed session) for possible action on the above.

Reconvened at 9:18 p.m.

Ald. Nebel **moved**, Ald. Johnson seconded, to authorize City staff to file an appeal of the Zoning Board of Appeals decision on 410 Fourth Avenue.

Call for the Vote: Ayes: Shorr, Nebel, Johnson, Slowinski, Kneebone, Dugan, McComb, Phillips, Morrow.
Nays: None. Motion adopted.

19. Adjournment.

Adjourned at 9:20 p.m.