

**CITY OF STEVENS POINT
REGULAR COUNCIL MEETING**

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

**December 17, 2018
7:00 P.M.**

Mayor Mike Wiza, Presiding

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

EXCUSED: Ald. Nebel.

OTHERS

PRESENT: Clerk Piotrowski, Attorney Beveridge, C/T Ladick, Police Chief Skibba, Fire Chief Finn, Dir. Ostrowski, Dir. Lemke, Dir. Schrader, Dir. Beduhn, Mayoral Assistant Pazdernik, Joe Bachman – Portage County Gazette, Alan Hovorka – Stevens Point Journal, Brandi Makuski – Metro Wire.

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

Mayor Wiza said Sergeant Tony Zblewski is retiring in January with over 23 years with the Stevens Point Police Department. He said the Stevens Point website has been upgraded and is going to be more mobile friendly. Mayor Wiza said everyone should be caring, compassionate and respectful all year long; not just during the Holidays. He said everyone can disagree but we should disagree respectfully and to avoid name calling. Mayor Wiza wished everyone a Happy Holiday and a Happy New Year.

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) regarding a non-agenda item.

Ald. Johnson said this has been a wonderful year and said she enjoys working with everyone. She wished everyone a wonderful Holiday and a Happy New Year.

5. Presentation to the Mayor and Council by Bicycle and Pedestrian Street Safety Commission Member Bill Fehrenbach: 2018 Bicycle and Pedestrian Counts.

Mr. Fehrenbach was unable to attend the meeting, so the presentation was postponed until a later date.

Consideration and Possible Action on the Following:

6. Consent Agenda:

- **Minutes of the Special Common Council meeting of November 19, 2018 and the Regular Common Council meeting of November 19, 2018.**
- **Actions of the Police and Fire Commission meeting November 8, 2018.**
 - 4. Confirmation of Bills.**
- **Actions of the Plan Commission meeting of December 3, 2018.**
 - 3. Request from Wayne Bushman for a sign variance to increase the size and height of a freestanding sign at 5101 Woodward Drive (Parcel ID 281240835300053).**
 - 4. Request from the University of Wisconsin Stevens Point for site plan review to construct a sign structure in the intramural field on the corner of Maria Drive and Michigan Avenue (Parcel ID 281240828300301).**
- **Actions of the Board of Water and Sewerage Commissioners meeting of December 10, 2018.**
 - 2. Discussion and possible action on credit card payment options.**
 - 3. Discussion and possible actions on department claims.**
 - 4. Discussion and possible action on 2019 Capital Operations & Maintenance Plan.**
 - 5. Water Supply and Distribution Operations.**
 - 6. Collection System Maintenance Report.**
 - 7. Sewage Treatment Operations Report.**
 - 8. Storm Water Report.**
- **Actions of the Airport Commission meeting of December 10, 2018.**
 - 2. Discussion and possible action on department claims.**
- **Actions of the Transportation Commission meeting of December 10, 2018.**
 - 1. Approval of November 2018 Financial/Claims report.**
- **Minutes and Actions of the of the Board of Public Works meeting of December 10, 2018.**
 - 3. To award the bid for Willett Ice Arena Improvements – Ice System Replacement to J.H. Findorff & Sons, Inc. in the amount not to exceed \$1,564,200.00.**
 - 4. To award the bid for the Willett Ice Arena Improvements – Press Box Expansion to Eagle Construction Company in the amount not to exceed \$54,835.00.**
- **Minutes and Actions of the Public Protection Committee Meeting of December 10, 2018.**
 - 2. License List.**
 - 3. Temporary Class “B”/ Class “B” License (Picnic).**
 - 4. Class “B” Fermented Malt Beverage License.**
 - 5. Pawnbroker/Secondhand Jewelry Dealer (Renewals).**
- **Minutes and Actions of the Finance Committee meeting of December 10, 2018.**
 - 1. Authorize the Fire Department to apply for a Grant (SAFER) for funding of new positions.**
 - 3. Authorize the Write-Off of uncollectable personal property taxes and accounts receivable.**
 - 4. Approval of Claims Paid.**

- **Statutory Monthly Financial Report by Comptroller/Treasurer.**
- **Consideration of Mayoral appointment to the Bicycle and Pedestrian Street Safety Commission.**

Ald. Jennings asked to pull the Mayoral appointment to the Bicycle and Pedestrian Street Safety Commission.

Ald. Johnson **moved**, Ald. Oberstadt seconded, to approve the consent agenda with the Mayoral appointment to the Bicycle and Pedestrian Street Safety commission pulled for further discussion.

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

Ald. Jennings asked Mayor Wiza if he consulted with the staff liaison, Associate Planner Kearns.

Mayor Wiza replied no.

Ald. Jennings asked if he consulted with the chair of the BPSSC.

Mayor Wiza replied no.

Ald. Jennings said she spoke with someone who applied for the position whose credentials would be great for the BPSSC. She said one of the reasons she advocated for BPAC to become a commission is for increased transparency and accountability through staff. Ald. Jennings asked Mayor Wiza if he could explain why he did not consult the staff who is an expert.

Mayor Wiza said the ordinance has this as a Mayoral Appointment. He said everyone has a different perspective, and said there are a couple of members who are in academics and know certain areas of Bicycle and Pedestrian accommodations and said there are still gaps. Mayor Wiza said he wants to get users who walk, jog, and/or skateboard to get all the perspectives on commission, be better-rounded. He said Mr. Corbin has a different perspective from those who are already appointed.

Ald. Jennings said she wanted to remind everyone that the ordinance does create a framework for the expertise that should be on the commission.

Ald. Dugan said she has worked with Mr. Corbin before and said he is easy to work with. She said he thinks he will be valuable to the commission.

Mayor Wiza said anyone who voluntarily steps up to serve would probably do well because they have a desire to make their community a better place.

Ald. Phillips **moved**, Ald. Dugan seconded, to approve the appointment by the Mayor for the Bicycle and Pedestrian Street Safety Commission.

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

7. Public Hearing – Special Assessments for Isadore Street for the replacement of non-standard water services, the replacement of non-standard sanitary sewer laterals, and installation of storm sewer laterals and replacement of existing non-standard storm sewer laterals – Project #18-01.

Mayor Wiza declared the public hearing open.

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

8. Final Resolution on the above.

Ald. Phillips **moved**, Ald. Kneebone seconded, to approve the final resolution for the Isadore Street project.

Ald. Morrow asked Dir. Lemke when the laterals were last replaced.

Dir. Lemke said there is not a consistent date of when it was last replaced and said it was probably around the 60's.

Ald. Shorr asked if one of the main people for the assessment is the University.

Dir. Beduhn said there were four assessments, and two of them were for the University.

Ald. Shorr verified there is a difference between a Special Assessment and an assessment of a property tax.

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

9. Ordinance Amendment – Zoning – Rezone the properties at 3313 and 3319 East Maria Drive (County Parcel ID:020240828-13.04 & 020240828-13.09) from “RLD” Residential Low Density District to “R-5” Multiple Family II Residence District.

Ald. Dugan said she is against this because she would rather see it be zoned as R-4.

Ald. Johnson **moved**, Ald. Shorr seconded, to approve the rezoning at 3313 and 3319 East Maria Drive from RLD Residential Low Density District to R-5 Multiple Family II Residence District.

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

10. Resolution – Conditional Use Permit – Construct a restaurant using deviations from the B-TID 5 Overlay District zoning standards at 1617 Scholfield Avenue (Parcel ID 281240829130024).

Greg Wojtak, 916 Frontenac Avenue, said he supports the restaurants. He said the new urban design contradicts anything on the City's main thoroughfare. Mr. Wojtak said the five foot setback can be dangerous to employees in the evenings.

Trevor Roark, 601 Washington Avenue, said even after the couple changes that were made the new design does not fit the corridor. He asked if City Staff could explain the conditional use permit as it pertains to setbacks.

Dir. Ostrowski said the Conditional Use Permit relates to the setbacks, and said the design standards are under the design of the Conditional Use Permit. He said both of the Conditional Use Permits are before Council because there is going to be a setback greater than five feet in the B-TID 5 district.

Ald. Slowinski **moved**, Ald. Morrow seconded, to approve the resolution conditional use permit to construct a restaurant using deviations from the B-TID 5 overlay district zoning standards at 1617 Schofield Avenue.

Ald. McComb said the down side of the Conditional Use Permit is that it continues the large setbacks that Council voted against when they changed the zoning. She said it does not adhere to a vision of Division Street. Ald. McComb said the restaurants will create an increased tax base and will fit the neighborhood demographics.

Ald. Dugan said she is not supporting either resolution because the City paid for a development plan and wants to see how those come back.

Ald. Shorr said North Division is important to the future of the City. He said there may be other things that people might like to see at this location and said this is what the economics justify and thinks it might be awhile before something else is done there.

Ald. Oberstadt said if the restaurants are added they would fit with what is in the area already and add to the fast food options right off the highway. She said she has heard from a lot of people that they are in favor of this.

Ald. Kneebone complimented K-Enterprises on the Highway 10 Burger King and feels like a Burger King on Division Street will fit in with what is already there.

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

11. Resolution – Conditional Use Permit – Construct a restaurant using deviations from the B-TID 5 Overlay District zoning standards at 1616 Academy Avenue (Parcel ID 281240829130022).

Ald. Morrow **moved**, Ald. Oberstadt seconded, to approve the resolution and conditional use permit to construct a restaurant using deviations from the B-TID 5 overlay at 1616 Academy Avenue.

Ald. Oberstadt said she typically sticks with what Council said they would do. She said normally she would deny this but with new consideration is in favor of it.

Ald. Morrow said these parcels have been open for years and said the parcels are setup and in perfect location for a drive-thru type restaurant.

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

12. Resolution – Amending the East Park Commerce Center conceptual development plan for pedestrian and bicycle infrastructure.

Dir. Ostrowski said this is before Council because the current building code requires sidewalks to be installed for structures being built on each site. He said with the amount of land and being in the industrial park it is not practicable. Dir. Ostrowski said this is option is more economical.

Ald. Slowinski **moved**, Ald. Shorr seconded, to approve the resolution amending the East Park Commerce Center conceptual development plan for pedestrian and bicycle infrastructure.

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

13. Purchase of Property – Approximately 2,111 square feet of an unaddressed parcel north of Main Street and east of Second Street (public square)(Parcel ID 281240832201523).

Ald. Jennings said this was previously contingent upon tearing down the trash corral on the square and asked if it was still attached.

Mayor Wiza said it is not a condition of this purchase and thought the City could work that part out. He said if it turns out the City does not need those spots it is still owned by the City. He said the City collects about \$190 a year in taxes and said there are 13 parking spots that the City can charge for parking.

Ald. Jennings said this is a moving target and said it feels like a lack of transparency.

Mayor Wiza said his suggestion for the use of the land is to offset the parking spaces that are going to be displaced if the dumpster coral is going to be moved to the pre-determined location.

Ald. Jennings asked why the City is subsidizing private business with providing trash while other businesses pay for their own. She said she does not believe the City should pay for their trash.

Mayor Wiza said the City is not paying for their trash. He said the City is only providing them a space for their trash, and the businesses will have to contract with someone to pick up their trash.

Ald. Jennings asked how quickly the \$20,000 is going to be recouped.

Mayor Wiza said it depends on what Council decides to do with it. He said he sees this as being used for parking.

C/T Ladick said if used for parking it would bring in around \$3,900 a year.

Mayor Wiza said it would take a little while to recoup the \$20,000.

Ald. Morrow asked about the information they received about the business owners not using that dumpster spot.

Mayor Wiza said he talked with the business owners who use the dumpster and asked them to send him their thoughts on it in writing. He said he forwarded all of the responses to the Alders and City Plan Commissioners. Mayor Wiza said they were all generally in favor.

Ald. Phillips **moved**, Ald. Johnson seconded, to approve the purchase of the unaddressed parcel north of Main Street.

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

14. Resolution – Complete Streets.

Dave Wysocki, 2409 Falcons Cove, said he has not read all of the details for the complete streets resolution but said he can see where this is leading. He said this relates back to the Stanley Street project. Mr. Wysocki said the alders need to listen to their constituents more instead of going about their personal agenda, and the thinking of knowing what is best over everyone.

Trevor Roark, 601 Washington Avenue, said he is speaking on behalf of the Bicycle Street Safety Commission. He said Complete Streets resolution is a recommendation from the Portage County wide bicycle and pedestrian plan that the City of Stevens Point adopted in 2015. Mr. Roark explained how complete streets are fiscally responsible.

Mayor Wiza said all the department heads and transit were informed and solicited input. He said the feedback that was received was given at staff meetings and was not

written down. Mayor Wiza invited any City Staff members to share their thoughts and opinions in regards to this.

Dir. Lemke said some areas may not work as well for the complete streets approach. He said at the Dearborn and St. Paul area, sidewalks were installed and the City does not have the facilities to carry water away causing the water to be trapped between driveways. Dir. Lemke said he does not want there to be a lack of knowledge and that one improvement may require other improvements.

Dir. Schrader said in paragraph three he would like to see the boulevards and street trees talked about more in the resolution.

Mayor Wiza said generally the City does everything that is listed in the resolution already. He said if Council is going to do something and support it, they need to make sure it is done correctly.

Ald. Dugan said she appreciates the point that Dir. Schrader brought up.

Ald. Morrow said it may be beneficial to look at an area and what issues may arise prior to putting in the sidewalks rather than after.

Mayor Wiza said if Council would like to postponed and make changes they can and said if so he would like direction as to how.

Ald. Jennings said Public Works is already trying to do complete streets planning. She explained how public policy is health care policy.

Ald. Slowinski said he looks at this as another layer that has to be confronted when it comes to designing new streets. He is concerned that this may bog down the process and take more time and money.

Ald. McComb said the complete streets idea is not a new concept and said they are strongly supported. She said the resolution does not say how the complete streets will be carried out and said that is up to City staff to carry out. Ald. McComb said complete streets is not a cookie cutter template that anyone is asking them to apply to every transportation corridor.

Ald. McComb **moved**, Ald. Jennings seconded, to approve the complete streets resolution.

Ald. Johnson said she agrees that the City is already doing this and said the resolution codifies what staff is doing.

Ald. Kneebone said this is a good holistic approach to community development that takes the needs of all users into consideration.

Mayor Wiza said he is supportive of this and recommends amending the "musts" to "should".

Ald. Johnson **moved**, Ald. Kneebone seconded, to amend the “musts” to “should”.

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

Ald. Shorr **moved**, Ald. Johnson seconded, to remove “each” in the last line and to amend “street” to “streets”.

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

Mayor Wiza said Council is going to vote on the original motion as amended.

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

15. Development Agreement – General Capital Acquisitions, LLC for the construction of a residential development at 1443 Water Street and 1447 Water Street.

Ald. Johnson **moved**, Ald. McComb seconded, to approve the development agreement.

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

16. Development Agreement – TDS Telecom for extension of commercial fiber optic network.

This was postponed until next month.

17. Ordinance Amendment – Building Code – 30.06 (g) RMC Numbering of Houses and Buildings.

Ald. Oberstadt **moved**, Ald. Shorr seconded, to approve the ordinance amendment for building code 30.06(g) of the revised municipal code regarding numbering of houses and buildings.

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

18. Ordinance Amendment – City Ordinance and Bond Schedule – 24.27 (3) (c) Citation Issuance Authority.

Ald. Phillips **moved**, Ald. Dugan seconded, to approve the ordinance amendment regarding the city ordinance and bond schedule 24.27 (3) (c) citation issuance authority.

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

19. Ordinance Amendment – Public Peace and Offenses Against Public Policy – 24.56 Possession of Vapor Products by Minors.

Ald. Johnson **moved**, Ald. Morrow seconded, to approve the ordinance amendment regarding public peace and offenses against public policy 24.56 possession of vapor products by minors.

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

20. Ordinance Amendment- Traffic – 9.05(j) Parking Limitations No Parking here to Corner on Phillips at the Intersection of Briggs Street.

Ald. McComb **moved**, Ald. Kneebone seconded, to approve the ordinance amendment about no parking on east side of Phillips from Briggs to 60 feet north.

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

21. Adjournment.

Adjourned at 8:17 p.m.