

REGULAR COUNCIL MEETING

Council Chambers
County-City Building

June 21, 2010
7:00 P.M.

Mayor Andrew J. Halverson, presiding

Roll Call: Present: Ald. Mallison, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore

Also Present: City Attorney Molepske, Clerk Moe, Comptroller-Treasurer Schlice, Directors Schrader, Morrissey, Lemke; Police Chief Ruder, Assistant to the Mayor Pazdernik, Kari Yenter, Joe Kottwitz, Matt Brown (Portage County Gazette), Nick Paulson (Stevens Point Journal)

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

Mayor Halverson stated it is the 2nd anniversary declaring the City of Stevens Point as an eco-municipality. The Mayor and Sustainability Coordinator Joe Kottwitz gave a brief presentation on sustainability accomplishments and goals for the City of Stevens Point. Mayor Halverson stated that over 40% of the initiatives are already in process.

3. Consideration of the minutes of the Common Council meeting of May 17, 2010, and the Special Common Council meeting of May 18, 2010.

Ald. Brooks moved, Ald. R. Stroik seconded, to accept the minutes and affirm the actions taken at the two meetings.

Roll Call: Ayes all.
Nays none. Motion carried.

4. *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.

Henry Korger, 3200 Water Street #2, Stevens Point, WI 54481:
Item #5 – Persons who wish to address Mayor and Council
Item #6 – Plan Commission meeting of June 7, 2010

Mildred Neville, 1709 Jefferson Street, Stevens Point, WI 54481:
Item #5 – Persons who wish to address Mayor and Council
Item #6 – Plan Commission meeting of June 7, 2010
Item #17 – Public Protection Committee meeting of June 14, 2010
Item #19 – Finance Committee meeting of June 14, 2010

Barb Jacob, 1616 Depot Street, Stevens Point, WI 54481:
Item #5 – Persons who wish to address Mayor and Council
Item #6 – Plan Commission meeting of June 7, 2010
Item #17 – Public Protection Committee meeting of June 14, 2010
Item #25 – Mayoral Appointments

Katie Kloth, 753 Franklin Street, Stevens Point, WI 54481:
Item #5 – Persons who wish to address Mayor and Council
Item #6 – Plan Commission meeting of June 7, 2010

Cathy Dugan, 615 Sommers Street, Stevens Point, WI 54481:
Item #5 – Persons who wish to address Mayor and Council

J. P. May, 21 Oakcrest, Stevens Point, WI 54481:
Item #6 – Plan Commission meeting of June 7, 2010

Rich Sommer, 4224 Janick Circle N, Stevens Point, WI 54481:
Item #6 – Plan Commission meeting of June 7, 2010

David Plaisance, 3241 Nicolet Court, Stevens Point, WI 54481:
Item #6 – Plan Commission meeting of June 7, 2010

Paul Wachowiak, 1620 Meadowview Lane, Stevens Point, WI 54481:
Item #6 – Plan Commission meeting of June 7, 2010

Reid Rocheleau, 408 Cedar W, Whiting, WI:
Item #6 – Plan Commission meeting of June 7, 2010
Item #15 – Personnel Committee meeting of June 14, 2010

Mary Ann Laszewski, 1209 Wisconsin Street, Stevens Point, WI 54481:
Item #6 – Plan Commission meeting of June 7, 2010
Item #19 – Finance Committee meeting of June 14, 2010

John Holdridge, 710 Hofmeister, Stevens Point, WI 54481:
Item #9 – Public Hearing-Rezoning 5001 Carol's Lane

Dave Wilz, 1909 Mary's Drive, Stevens Point, WI 54481:
Item #9 – Public Hearing-Rezoning 5001 Carol's Lane

Tom Haulfman, 5316 Carol's Lane, Stevens Point, WI 54481:
Item #9 – Public Hearing-Rezoning 5001 Carol's Lane

Ald. Wiza, District 4:
Item #5 – Persons who wish to address Mayor and Council

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

Henry Korger, 3200 Water Street, does not feel three minutes is long enough for citizens to speak. He also suggested that the Council use private voting during the Council meetings.

Mildred Neville, 1709 Jefferson Street, recited a paragraph from an open letter submitted by Dan Menzel to the Stevens Point Journal. She urged the City to use solar at the Lullaby site. Ms. Neville voiced her concerns that people are not being allowed to speak at City meetings. She noted that the Public Protection minutes do not reflect that Mr. Rocheleau was not allowed to speak at the meeting and Ald. Wiza going on record at that same meeting objecting to Mr. Rocheleau not being allowed to speak.

Barb Jacob, 1616 Depot Street, said the citizens have the right to speak at the meetings and it is inappropriate when people are not allowed to speak.

Katie Kloth, 753 Franklin Street, appreciates the initiatives of farm shed. She said just because something is being done one way does not mean it is the only way. Ms. Kloth also stated Mayor Halverson has divided the community.

Cathy Dugan, 615 Sommers Street, stated there will be a meeting to discuss property taxes on Wednesday at 7:00 p.m. at the Lincoln Center.

Ald. Wiza announced the Point Dog Park will have a grand opening on June 26, 2010 starting at 9:30 a.m. He said the ribbon cutting will take place at 10:00 a.m.

6. Consideration of minutes and actions taken at the Plan Commission meeting of June 7, 2010.

Mayor Halverson stated no project is being approved or planned this evening. He reviewed the state statutes that outline the action being proposed. The Mayor stated the City under law should have never acquired the land in the first place.

City Attorney Molepske said the proposal is to transfer the property to the Community Development Authority. The City Attorney reviewed the process that would need to take place in order to move forward with a plan.

Ald. Trzebiatowski would like clarification on what is meant by a plan.

Mayor Halverson said it refers to a redevelopment plan.

Ald. R. Stroik asked if it would be appropriate to pull item #8 from the Plan Commission meeting.

City Attorney Molepske said there is a section in the state statutes that provides the City can grant property for consideration to its Community Development Authority.

Mayor Halverson reviewed the language relating to this in the state statutes.

Ald. R. Stroik understands that by state law the Community Development Authority should hold this property.

City Attorney Molepske said to avoid problems, the current redevelopment plan should be amended and the district within that plan should also be amended or create another district within that plan.

Ald. R. Stroik asked if the City can continue to hold the property until the redevelopment plan is introduced.

City Attorney Molepske replied yes.

Ald. R. Stroik **moved**, Ald. Wiza seconded, approval of the Plan Commission meeting with item #8 pulled for further discussion and action.

Ald. Wiza stated the residents of Carol's Lane and the developer have come to an agreement to develop the homes a minimum of 50' from the Carol's Lane property line.

Roll Call: Ayes all.
 Nays none. Motion carried.

Ald. R. Stroik **moved**, Ald. Brooks seconded, to postpone action of item #8 until the CDA meets with an approved plan.

Roll Call: Ayes all.
Nays none. Motion carried.

7. **Public Hearings – Conditional Use – Request to Operate a Tavern at the following:**
 - A) 1001 Amber Ave. – Holiday Inn.
 - B) 2301 Church St. – Rhody’s.
 - C) 1009 Clark St. – Steel Night Club.
 - D) 200 Division St. – Olympic Bar/Restaurant.
 - E) 2317 Division St. – Archie’s.
 - F) 912 Main St. – Graffiti’s.
 - G) 908 Maria Dr. – Final Score.
 - H) 2600 Stanley St. – Partner’s Pub.

The public hearing was declared open by the Mayor.

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

8. **Consideration of Resolutions on the above.**

Ald. Trzebiatowski **moved**, to approve the resolutions individually for discussion.

The motion failed due to a lack of a second.

Ald. O’Meara **moved**, Ald. Molski seconded, to adopt the resolutions.

Roll Call: Ayes: Ald. Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, M. Stroik, Wiza, O’Meara, Suomi, Mallison.
Nays: None. Ald. Moore abstained due to employment with one of the applicants. Motion carried.

9. **Public Hearing – Rezoning 5001 Carol’s Ln. from “M-2” Heavy Industrial to “R-3” Single and Two Family Residence District.**

The public hearing was declared open by the Mayor.

John Holdridge, 710 Hofmeister, said the setback concerns have been resolved and he supports the request.

Dave Wilz, 1909 Mary’s Drive, supports the rezoning request.

Tom Haulfman, 5316 Carol’s Lane, supports the agreement between the residents and the developer.

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

10. Consideration of Ordinance Amendment on the above.

Ald. Moore moved, Ald. Slowinski seconded, to adopt the ordinance amendment.

Roll Call: Ayes: Ald. Mallison, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

11. Public Hearing – Conditional Use – Request to Construct an Addition at 2617 Water St. – Point Brewery.

The public hearing was declared open by the Mayor.

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

12. Consideration of Resolution on the above.

Ald. Molski moved, Ald. Mallison seconded, to adopt the resolution.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Mallison.
Nays: None. Motion carried.

13. Public Hearing – Conditional Use – Request to Operate a Tavern at 2124 Rice St. – Player's Lounge.

The public hearing was declared open by the Mayor.

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

14. Consideration of Resolution on the above.

Ald. Molski moved, Ald. Slowinski seconded, to adopt the resolution.

Roll Call: Ayes: Ald. Mallison, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

15. Consideration of the minutes and actions taken at the Personnel Committee meeting of June 14, 2010.

Reid Rocheleau, 408 Cedar Street W, opposes the starting salary for the new Community Development Director.

Ald. Molski **moved**, Ald. M. Stroik seconded, approval of the minutes and actions taken at the Personnel Committee meeting of June 14, 2010.

Roll Call: Ayes all.
Nays none. Motion carried.

16. Consideration of minutes and actions taken at the Board of Public Works meeting of June 14, 2010.

Ald. O'Meara **moved**, Ald. Moore seconded, to place the minutes on file and affirm the actions of the Board of Public Works.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Mallison.
Nays: None. Motion carried.

17. Consideration of the minutes and actions taken at the Public Protection Committee meeting of June 14, 2010.

Mildred Neville, 1709 Jefferson Street, stated the minutes do not accurately reflect what happened at the meeting and the minutes do not include Mr. Rocheleau as being present at the meeting.

Barb Jacob, 1616 Depot Street, spoke on behalf of Jeremy Baublitt. She asked that the Council make an exception and allow Jeremy to receive his license early.

Ald. Wiza said Mr. Baublitt did not have any other violations; however, he does not meet the guidelines with the violation that he did have. He asked if this can be postponed for two months and reconsider it once the 24 months has expired.

City Attorney Molepske said he will need to reapply after the 24-month period.

Ald. Wiza **moved**, Ald. R. Stroik seconded, to reject the operator license for Jeremy Baublitt.

Ald. Moore would like clarification when Mr. Baublitt can reapply.

Mayor Halverson replied he can reapply once the 24-month period has been exhausted since his violation.

Ald. R. Stroik said the Council has guidelines that must be followed.

Ald. Slowinski asked if Mr. Baublitz will have to wait the six-month period for falsifying the application.

Mayor Halverson replied no, he did not falsify the application.

Ald. Trzebiatowski questions where the priorities in the criteria are and he feels the guidelines need to be looked at again.

Mayor Halverson told Ald. Trzebiatowski that he could petition Ald. R. Stroik to bring up the application process again.

Roll Call: Ayes all.
Nays None. Motion carried.

Ald. Brooks **moved**, Ald. R. Stroik seconded, to accept the minutes and affirm the action taken at the Public Protection Committee meeting of June 14, 2010.

Ald. Wiza **moved**, Ald. Moore seconded, to amend the minutes to reflect that Mr. Rocheleau was present at the meeting and also add Ald. Wiza's objection to Mr. Rocheleau not being allowed to speak.

Ald. Brooks noted the sign in form used at the meetings are used to determine who was present at the meeting so if an individual did not sign in then they will not be listed as being present.

Ald. O'Meara said the minutes are to summarize the motions and actions.

The following is the vote on the amendment:

Roll Call: Ayes all.
Nays none. Motion carried.

The following is the vote on the minutes and actions of the Public Protection Committee meeting:

Roll Call: Ayes all.
Nays none. Motion carried.

18. Consideration and possible action on Ordinance Amendment to Sect. 7.07 - City Smoking Ban - to conform to State Statutes.

City Attorney Molepske explained the current city ordinance is basically being continued with the new state provisions being added to the ordinance. He said the penalty section was also changed.

Ald. R. Stroik **moved**, Ald. O'Meara seconded, to approve the ordinance amendment to sect. 7.07 - City Smoking Ban - to conform to state statutes.

Roll Call: Ayes: Ald. Mallison, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

19. Consideration of minutes and actions taken at the Finance Committee meeting of June 14, 2010.

Mary Ann Laszewski, 1209 Wisconsin Street, would like to know what the funding from the grant will be used for.

Mayor Halverson clarified that there is not a motion to allocate financing.

Ald. Moore **moved**, Ald. Brooks seconded, to place the minutes on file and the actions affirmed of the Finance Committee meeting of June 14, 2010.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Mallison.
Nays: None. Motion carried.

20. Consideration of minutes and actions taken at the Police and Fire Commission meeting of June 1, 2010.

Ald. R. Stroik **moved**, Ald. Molski seconded, approval of the minutes and actions taken at the Police and Fire Commission meeting of June 1, 2010.

Roll Call: Ayes all.
Nays None. Motion carried.

21. Consideration of minutes and actions taken at the Board of Park Commissioners meeting of June 2, 2010.

Ald. Brooks **moved**, Ald. Slowinski seconded, to accept the minutes and affirm the actions.

Roll Call: Ayes all.
Nays None. Motion carried.

22. Consideration of minutes and actions taken at the Transportation Commission meeting of June 9, 2010.

Ald. M. Stroik moved, Ald. Moore seconded, approval of the minutes and actions taken at the Transportation Commission meeting of June 9, 2010.

Roll Call: Ayes all.
Nays None. Motion carried.

23. Consideration of minutes and actions taken at the Board of Water & Sewage Commissioners meeting of June 14, 2010.

Ald. Slowinski moved, Ald. Mallison seconded, to place the minutes on file and affirm the actions of the Board of Water & Sewage Commissioners.

Roll Call: Ayes: Ald. Mallison, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

24. Consideration of the Statutory Monthly Financial Report of the Comptroller-Treasurer.

Ald. Molski moved, Ald. Moore seconded, to accept the report and place it on file.

Roll Call: Ayes all.
Nays None. Motion carried.

25. Consideration of Mayoral Appointments:

Affirmative Action/Fair Housing Committee –

Ald. Brian Brooks, 3248 Lindbergh Ave. (Exp. 4/30/12)

Airport Advisory Committee –

Reappoint Ald. Moore, 317 Division St. N. (Exp. 4/30/12)

Reappoint Anthony Patton, 3917 Jordan Ln. (Exp. 4/30/12)

Reappoint Dave Ladick, 4517 Nicolet Ave. (Exp. 4/30/12)

Reappoint David Olson, 4408 Sequoia Dr. (Exp. 4/30/12)

Reappoint John Thompson, 2409 Stanley St. (Exp. 4/30/12)

Mayor Halverson noted there will be another individual chosen by the Stevens Point Pilots Association who will also be a voting member of the Airport Advisory Committee.

Barb Jacob, 1616 Depot Street, voiced her concerns that the Mayor continues to appoint the same alderpersons to the committees and commissions.

Ald. Wiza is comfortable with these appointments

Ald. R. Stroik **moved**, Ald. Mallison seconded, approval of all the appointments.

Roll Call: Ayes all.
 Nays None. Motion carried.

26. Adjournment.

Adjournment at 8:37 p.m.