

## REGULAR COUNCIL MEETING

Council Chambers  
County-City Building

March 15, 2010  
7:00 P.M.

### Mayor Andrew J. Halverson, presiding

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

Also Present: City Attorney Molepske, Clerk Moe, Comptroller-Treasurer Schlice, Directors Schrader, Halverson, Morrissey, Lemke; Police Chief Ruder, Transit Manager Lemke, Assessor Siebers, Assistant to the Mayor Pazdernik, Kari Yenter, Gene Kemmeter (Portage County Gazette), Nick Paulson (Stevens Point Journal)

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

Mayor Halverson announced that the Downtown Task Force will meet on Thursday, March 25, 2010 at 6:00 p.m. He also noted that the Sustainability Group has met and discussed energy saving projects. The Mayor proclaimed March 29, 2010 to April 2, 2010 as National Census Week and he read a proclamation.

#### 3. Consideration of the minutes of the Common Council meeting of February 15, and the Special Common Council meeting of March 8, 2010.

Ald. R. Stroik **moved**, Ald. Mallison seconded, approval of the Common Council minutes of February 15, and the Special Common Council minutes of March 8, 2010.

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.

Katie Kloth, 1718A Plover Street, Stevens Point, WI 54481:  
Item #5 – Persons who wish to address the Mayor and Council

Ryan Olds, 2257 Clark Street, Stevens Point, WI 54481:  
Item #5 – Persons who wish to address the Mayor and Council

Katherine Williams, 2117 Prairie Street, Stevens Point, WI 54481:

Item #5 – Persons who wish to address the Mayor and Council

Bob Gifford, 517 Fieldcrest Avenue, Stevens Point, WI 54481:

Item #5 – Persons who wish to address the Mayor and Council

Item #7 – Ordinance Amendment–Add the definition of Municipal Service and Operational Facilities

Patty Dreier, 4550 Emerald Lane, Stevens Point, WI 54482:

Item #5 – Persons who wish to address the Mayor and Council

Reid Rocheleau, 408 Cedar Street, Whiting, WI:

Item #5 – Persons who wish to address the Mayor and Council

Item #8 – Ordinance Amendment–Add Municipal Service and Operational Facilities as a conditional use

Item #12 – Board of Public Works meeting of March 8, 2010

Mary Ann Laszewski, 1209 Wisconsin Street, Stevens Point, WI 54481:

Item #5 – Persons who wish to address the Mayor and Council

Item #8 – Ordinance Amendment–Add Municipal Service and Operational Facilities as a conditional use

Item #12 – Board of Public Works meeting of March 8, 2010

Glenn Wills, 2300A College Avenue, Stevens Point, WI 54481:

Item #5 – Persons who wish to address the Mayor and Council

Colin Bares, 1556 Church Street, Stevens Point, WI 54481:

Item #5 – Persons who wish to address the Mayor and Council

Jim Limbach, 1732 Ellis Street, Stevens Point, WI 54481:

Item #5 – Persons who wish to address the Mayor and Council

Bill Ebert, 200 Fourth Avenue, Stevens Point, WI 54481:

Item #6 – Plan Commission meeting of March 1, 2010

Jo Seiser, 317 Sixth Avenue, Stevens Point, WI 54481:

Item #6 – Plan Commission meeting of March 1, 2010

Item #7 – Ordinance Amendment–Add the definition of Municipal Service and Operational Facilities

Item #8 – Ordinance Amendment–Add Municipal Service and Operational Facilities as a conditional use

Tom Brown, 317 Sixth Avenue, Stevens Point, WI 54481:

Item #6 – Plan Commission meeting of March 1, 2010

Item #7 – Ordinance Amendment–Add the definition of Municipal Service and Operational Facilities

Item #8 –Ordinance Amendment–Add Municipal Service and Operational Facilities as a conditional use

Mary McComb, 2100 Elk Street, Stevens Point, WI 54481:

Item #12 – Board of Public Works meeting of March 8, 2010

Barb Jacob, 1616 Depot Street, Stevens Point, WI 54481:

Item #12 – Board of Public Works meeting of March 8, 2010

Item #13 – Board of Park Commissioners meeting of March 3, 2010

Karlene Ferrante, 1324 Portage Street, Stevens Point, WI 54481:

Item #12 – Board of Public Works meeting of March 8, 2010

Sue Hall, 200 Pine Bluff Road, Stevens Point, WI 54482:

Item #12 – Board of Public Works meeting of March 8, 2010

Susie Eberhard, 3147 Dans Drive, Stevens Point, WI 54481:

Item #12 – Board of Public Works meeting of March 8, 2010

Ald. Slowinski, Sixth District:

Item #5 – Persons who wish to address the Mayor and Council

Ald. Trzebiatowski, Seventh District:

Item #5 – Persons who wish to address the Mayor and Council

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

Katie Kloth, 1718A Plover Street, has been working on a project to reclaim the land and she supports community gardening at the former Lullaby site.

Ryan Olds, 2257 Clark Street, stated this land was owned by a family member. He said this land would serve a greater purpose as community farm land.

Katherine Williams, 2117 Prairie Street, supports urban gardening for commercial use. She feels it will create jobs.

Bob Gifford, 517 Fieldcrest, supports the community gardening. He said the green space is valuable and they should be given the opportunity to use their gardening skills on the land.

Patty Dreier, 4550 Emerald Lane, stated she is running for the position of County Executive.

Reid Rocheleau, 408 Cedar Street, supports the garden. He voiced his concerns on the way the Board of Public Works minutes were written.

Mary Ann Laszewski, 1209 Wisconsin Street, stated the notices for public hearings need more information.

Glenn Wills, 2300A College Avenue, is in favor of using the former Lullaby land for garden plots.

Colin Bares, 1556 Church Street, supports the gardens. He said he contacted the neighbors and they do not support the development of apartments on this land.

Jim Limbach, 1732 Ellis Street, noted there are chemicals in the land that could be harmful if the land is worked up too deep for the development of apartments. He said the gardens will not disturb the deep soil.

Ald. Slowinski announced the spring clean up is planned for Sunday, April 25, 2010 from 1:00 p.m. to 4:00 p.m.

Ald. Trzebiatowski reminded candidates to only place their signs on private property.

**6. Consideration of minutes and actions taken at the Plan Commission meeting of March 1, 2010.**

Bill Ebert, 200 Fourth Avenue, said the green space along the riverfront is a valuable asset. He discouraged the City from building at this location.

Jo Seiser, 317 Sixth Avenue, said conservancy land is valuable and it should be protected. She recommended not permitting any further development in these areas.

Tom Brown, 317 Sixth Avenue, does not feel the Mayor's arguments presented at the Plan Commission are grounds to approve a planning change.

Ald. Brooks **moved**, Ald. Moore seconded, to accept the minutes and affirm the actions taken at the Plan Commission meeting of March 1, 2010.

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

**7. Ordinance Amendment – Zoning – Sec.23.04(2) of the RMC – Add the Definition of Municipal Service and Operational Facilities.**

Jo Seiser, 317 Sixth Avenue, stated the definition is not clear. She said it will allow industrial uses in City parks.

Tom Brown, 317 Sixth Avenue, said the definition is too broad. He urged the Council to reject the ordinance amendment.

Bob Gifford, 517 Fieldcrest, stated there are other areas within the City that are more appropriate for these facilities.

Mayor Halverson read the proposed definition of Municipal Services and Operational Facilities.

Ald. R. Stroik said the definition is for general zoning not just in conservancy areas.

Mayor Halverson replied that is correct.

Ald. R. Stroik **moved**, Ald. Brooks seconded, to adopt the definition and ordinance amendment.

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

**8. Ordinance Amendment – Zoning – Sec.23.02(1)(a)3.1 of the RMC – Add Municipal Service and Operational Facilities as a Conditional Use.**

Jo Seiser, 317 Sixth Avenue, said this is a big decision and the pressure is on for an easy solution.

Reid Rocheleau, 408 Cedar Street, said this is not a good location for a City garage because it is not centrally located. He noted the grant is not site-specific so the City could purchase land elsewhere for this development.

Mary Ann Laszewski, 1209 Wisconsin Street, stated the City needs a long range plan for the future of the City garage. She suggested developing a new City garage on the land behind Land's End.

Tom Brown, 317 Sixth Avenue, said the City garage is a lousy neighbor and it is encroaching on the park. He said the City should plan for a new facility on the eastside of the City.

Ald. O'Meara is opposed to this conditional use amendment.

Ald. Wiza does not feel any municipal facility belongs within a park.

Ald. R. Stroik said Bukolt Park is a unique situation. He asked if the process to approve the new salt shed was completed legally.

City Attorney Molepske said the action was to install the salt shed as a municipal building in a municipal park.

Ald. R. Stroik asked if this future garage could be approved in the same method as the current salt shed.

City Attorney Molepske believes it could have been approved.

Ald. R. Stroik asked if the Council could approve this operational facility in Bukolt Park without a conditional use.

City Attorney Molepske replied it would first have to go to the Plan Commission. He said if the Plan Commission had a favorable recommendation then it would probably be approved.

Ald. R. Stroik feels the conditional use will make it harder to develop within a park.

Mayor Halverson read a memo from DOT representative Dave Lowe and an email that was sent to Jo Seiser clarifying the terms of the grant. He stated if it was financially capable, he would love to move the facility elsewhere.

Ald. Walther supports the expansion of the transit building and City garage.

Ald. R. Stroik **moved**, Ald. Trzebiatowski seconded, approval of the ordinance amendment adding Municipal Service and Operational Facilities as a conditional use in Sec.23.02(1)(a)3.1.

Ald. Wiza clarified that the salt shed was approved because it was environmentally critical.

Ald. Moore forwarded this to the Council because he wanted the public to have a clearer view and understanding of this conditional use.

Roll Call: Ayes: Ald. Mallison, Walther, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.  
Nays: Ald. O'Meara, Wiza.  
Ayes – 9. Nays - 2. Motion carried.

**9. Consideration of the minutes and actions taken at the Public Protection Committee meeting of March 8, 2010.**

Ald. R. Stroik **moved**, Ald. Mallison seconded, approval of the minutes and actions taken at the Public Protection Committee meeting of March 8, 2010, with item #1B pulled for further discussion.

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

Ald. R. Stroik suggested rejecting Spencer Johnson's application for a period of three months.

Chief Ruder does not object to it. He suggested the Public Protection Committee review the current list of criteria.

Ald. Trzebiatowski asked if an applicant receives a provisional permit after they take the on-line course.

Clerk Moe replied they only receive a provisional permit after police approval.

Ald. Trzebiatowski noted that Mr. Johnson could have received his permit months ago.

Ald. Wiza said the license would still be denied for 90 days.

City Attorney Molepske said the policy will be looked at next month. He said if changes are implemented then his license could be looked at again.

Mayor Halverson said the license has to be denied according to the current policy.

Ald. R. Stroik **moved**, Ald. Molski seconded, to accept the recommended denial with the addition that the City Clerk put the review of the current policy on the next agenda.

Ald. Brooks asked if Mr. Johnson would be able to reapply if changes are made to the policy.

City Attorney Molepske said it can be lifted if amendments are made.

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

**10. Consideration of the minutes and actions taken at the Personnel Committee meeting of March 8, 2010.**

Ald. Molski **moved**, Ald. Brooks seconded, approval of the minutes and actions taken at the Personnel Committee meeting of March 8, 2010.

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

**11. Consideration of minutes and actions taken at the Finance Committee meeting of March 8, 2010.**

Ald. Moore **moved**, Ald. Slowinski seconded, to accept the minutes and affirm the actions taken at the Finance Committee meeting of March 8, 2010.

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

**12. Consideration of minutes and actions taken at the Board of Public Works meeting of March 8, 2010.**

Reid Rocheleau, 408 Cedar Street, voiced his concerns on the comment made by Ald. Wiza regarding the Schierl donation and the area that will be designated to the Schierl family at the dog park. He believes the letter submitted by the Schierl family is now null and void.

Mary McComb, 2100 Elk Street, urged the Council to support the actions taken by the Board of Public Works. She said the Schierls are a community family that wants to help with this project. Ms. McComb said all donors over \$100 will be recognized.

Barb Jacob, 1616 Depot Street, would like to know how big the area will be that is designated as the Schierl Socialization and Exercise Area.

Mary Ann Laszewski, 1209 Wisconsin Street, suggested the City ask the Schierl family to limit their request to two 4' x 6' signs.

Karlene Ferrante, 1324 Portage Street, thanked the committee members for their hard work. She said it is not unreasonable to have signs to recognize large donors.

Sue Hall, 200 Pine Bluff Road, said there will be an opportunity for public input on the rules and regulations for the dog park.

Suzie Eberhard, 3147 Dans Drive, is thankful for all the donations. She said the Dog Park Committee will be presenting detailed plans to the Board of Public Works.

Mayor Halverson commended the committee members for their work. He reiterated that the Board of Public Works chose to name the dog park as "Point Dog Park" and name the dog exercise area as "Schierl Family Pet Exercise and Socialization Area".

Ald. Trzebiatowski noted this area is not park land.

Ald. Trzebiatowski **moved**, Ald. Wiza seconded, to place the minutes on file and affirm the actions taken at the Board of Public Works meeting of March 8, 2010.

Ald. Brooks spoke with several individuals that are concerned with the area being named the Schierl Pet Exercise and Socialization Area.

Ald. R. Stroik stated the City usually tries to find ways to accommodate generous people who make generous donations.

Roll Call: Ayes: Ald. Mallison, Walther, O'Meara, Wiza, M. Stroik, Slowinski,  
Trzebiatowski, Molski, R. Stroik, Brooks, Moore.  
Nays: Ald. Brooks.  
Ayes – 10. Nays – 1. Motion carried.

### **13. Consideration of minutes and actions taken at the Board of Park Commissioners meeting of March 3, 2010.**

Barb Jacob, 1616 Depot Street, voiced her concerns on the inadequate play equipment at Veterans Memorial Park. She said the children in this area need a place to play.



Ald. Brooks agrees with Ms. Jacob that the park is in need of updated equipment.

Ald. R. Stroik **moved**, Ald. M. Stroik seconded, approval of minutes and actions taken at the Board of Park Commissioners meeting of March 3, 2010.

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

**14. Consideration of minutes and actions taken at the Board of Water & Sewage Commissioners meeting of March 8, 2010.**

Ald. Slowinski **moved**, Ald. Molski seconded, to place the minutes on file and affirm the actions taken at the Board of Water & Sewage Commissioners meeting of March 8, 2010.

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

**15. Consideration of Ordinance Amendments - Amending Schedule of Sewage Service Rates.**

- A) Amendment to Subsection (7) of Section 13.09 of the RMC.**
- B) Amendment to Subsection (2)(a) of Section 13.17 of the RMC.**
- C) Amendment to Subsections (2)(f) and (3) of Section 13.17 of the RMC.**
- D) Amendment to Subsection (2)(d) of Section 13.22 of the RMC.**

Ald. Molski **moved**, Ald. R. Stroik seconded, to adopt the ordinance amendments.

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

**16. Consideration of minutes and actions taken at the Police and Fire Commission meetings of February 9, and March 2, and the Special Police and Fire Commission meetings of February 16, and March 8, 2010.**

Ald. R. Stroik **moved**, Ald. Brooks seconded, approval of the minutes and actions taken at the Police and Fire Commission meetings of February 9, and March 2, and the Special Police and Fire Commission meetings of February 16, and March 8, 2010.

Ald. R. Stroik said they will be meeting to discuss what they would like to see in their next Fire Chief.

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

**17. Consideration of minutes and actions taken at the Transportation Commission meeting of March 10, 2010.**

Ald. Walther **moved**, Ald. Trzebiatowski seconded, to affirm the minutes and approve the action taken at the Transportation Commission meeting of March 10, 2010.

Ald. Walther stated several of the items in the TDP have already been completed and they should not have a problem accomplishing all of the items within five years.

Mayor Halverson commended them for their work.

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

**18. Mayoral Appointments: Supplemental Election Officials.**

Ald. Mallison **moved**, Ald. Wiza seconded, approval of the supplemental Election Officials.

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

**19. Consideration of the Statutory Monthly Financial Report of the Comptroller-Treasurer.**

Ald. Moore **moved**, Ald. Brooks seconded, to accept the monthly Financial Report of the Comptroller-Treasurer and place it on file.

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

**20. Adjournment.**

Adjournment at 9:15 p.m.

## REGULAR COUNCIL MEETING

**Council Chambers  
County-City Building**

**March 15, 2010  
7:00 P.M.**

1. Roll Call.
2. Salute to the Flag and Mayor's opening remarks.
3. Consideration of the minutes of the Common Council meeting of February 15, and the Special Common Council meeting of March 8, 2010.
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.
5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.
6. Consideration of minutes and actions taken at the Plan Commission meeting of March 1, 2010.
7. Ordinance Amendment – Zoning – Sec.23.04(2) of the RMC – Add the Definition of Municipal Service and Operational Facilities.
8. Ordinance Amendment – Zoning – Sec.23.02(1)(a)3.1 of the RMC – Add Municipal Service and Operational Facilities as a Conditional Use.
9. Consideration of the minutes and actions taken at the Public Protection Committee meeting of March 8, 2010.
10. Consideration of the minutes and actions taken at the Personnel Committee meeting of March 8, 2010.
11. Consideration of minutes and actions taken at the Finance Committee meeting of March 8, 2010.
12. Consideration of minutes and actions taken at the Board of Public Works meeting of March 8, 2010.
13. Consideration of minutes and actions taken at the Board of Park Commissioners meeting of March 3, 2010.

14. Consideration of minutes and actions taken at the Board of Water & Sewage Commissioners meeting of March 8, 2010.
15. Consideration of Ordinance Amendments - Amending Schedule of Sewage Service Rates.
  - A) Amendment to Subsection (7) of Section 13.09 of the RMC.
  - B) Amendment to Subsection (2)(a) of Section 13.17 of the RMC.
  - C) Amendment to Subsections (2)(f) and (3) of Section 13.17 of the RMC.
  - D) Amendment to Subsection (2)(d) of Section 13.22 of the RMC.
16. Consideration of minutes and actions taken at the Police and Fire Commission meetings of February 9, and March 2, and the Special Police and Fire Commission meetings of February 16, and March 8, 2010.
17. Consideration of minutes and actions taken at the Transportation Commission meeting of March 10, 2010.
18. Mayoral Appointments: Supplemental Election Officials.
19. Consideration of the Statutory Monthly Financial Report of the Comptroller-Treasurer.
20. Adjournment.

#### RMC – Revised Municipal Code

Persons who wish to address the Common Council may make a statement as long as it pertains to a **specific** agenda item. Persons who wish to speak on an agenda item will be limited to a five (5) minute presentation. Any person who wishes to address the Common Council on a matter which is not on the agenda will be given a maximum of three (3) minutes and the time strictly enforced under the item, “Persons who wish to address the mayor and council on non-agenda items.” Individuals should not expect to engage in discussion with members of the City Council and City staff.

Any person who has special needs while attending this meeting or needing agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569, TDD #346-1556, or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during the regular business hours from 7:30 A.M. to 4:00 P.M.

COMPTROLLER-TREASURER REPORT  
for the period ending January 31, 2010

	Bal Jan. 1, 2010	Receipts	Disbursements	Bal Jan 31,2010
GENERAL OPERATING CASH	\$8,612,701.65	\$10,543,436.68	\$11,219,924.40	\$7,936,213.93
WATER & SEWER (CASH & INVEST)	\$3,334,208.82	\$1,370,234.75	\$946,993.11	\$3,757,450.46

INVESTMENTS	Jan. 1, 2010	TRANSFER IN	TRANSFER OUT	Bal. Jan. 31, 2010
GENERAL	\$17,988,574.28	\$0.00	\$3,282.27	\$17,985,292.01
SPECIAL REVENUE	\$748,273.61	\$0.00	\$0.00	\$748,273.61
DEBT SERVICE	\$1,307,383.70	\$0.00	\$0.00	\$1,307,383.70
CAPITAL PROJECTS	\$7,578,767.17	\$3,282.27	\$0.00	\$7,582,049.44
ENTERPRISE	\$1,166,023.93	\$0.00	\$0.00	\$1,166,023.93
TRUST	\$88,443.48	<u>\$0.00</u>	<u>\$0.00</u>	\$88,443.48
<b>TOTALS</b>	<u>\$28,877,466.17</u>	<u>\$3,282.27</u>	<u>\$3,282.27</u>	<u>\$28,877,466.17</u>

EXPENDITURES:	BUDGET	YTD	%	REVENUES	BUDGET	YTD	%
GENERAL GOVT	\$2,596,158.00	\$186,036.59	7.17%	GENERAL	\$22,665,631.00	\$10,329,384.34	45.57%
PUBLIC SAFETY	\$11,077,611.00	\$1,003,694.19	9.06%	TRANSIT	\$1,664,301.00	\$312,689.27	18.79%
PUBLIC WORKS	\$6,258,975.00	\$373,184.34	5.96%	AIRPORT	\$498,679.00	\$153,452.65	30.77%
PARK & REC	\$2,289,292.00	\$71,930.53	3.14%				
CAPITOL PROJ	\$394,795.00	\$5,098.34	1.29%				
TRANSIT	\$1,664,301.00	\$39,459.48	2.37%				
DEBT SERVICE	\$3,721,976.00	\$214,399.14	5.76%				
AIRPORT	\$498,679.00	\$55,018.71	11.03%				