

City of Stevens Point Meeting Minutes

City Plan Commission

Monday, June 1, 2009

PRESENT: Chairman Mayor Halverson; Ald. Jerry Moore; Tony Patton; Jami Gebert; Dave Medin; Anna Haines; Daryl DeDeker
ALSO PRESENT: Comm. Dev. Dir. John Gardner; Ald. Mallison, O'Meara, Wiza Heart, Slowinski, Trzebiatowski, Molski, Stroik, & Brooks; City Attorney Louis J. Molepske; Comp./Treas. John Schlice; Water & Sewer Dir. Halverson; Public Works Dir. Popoff; Reid Rocheleau; Frank Sciarrone; Chris Loken; Scott Beclahn; SEH, Patrick Planton; Cathy Dugan; Mary Ann Laszewski; Ken Lepak; UWSP Schmeeckle Reserve representative, Ron Zimmerman; NRC representatives Jon Gumtow; ARCOM representative Bruce Gerland; Po. Co. Gazette, Gene Kemmeter; Journal, Meredith Thorn

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8. Adjourn.
1. Public Hearing on Draft Citizen Participation Plan

Chm. Halverson stated a Citizen Participation Plan is a part of the Community Development Block Grant Fund application. Does anyone wish to speak at the public hearing?

Chm. Halverson stated seeing there is no one who wishes to speak, declared the public hearing closed.

2. Consideration and Possible Action on Citizen Participation Plan

John Gardner stated this is not the first Citizen Participation Plan that the city has adopted. We have a consultant that has taken the template that is put together by the Department of Commerce and used it to update our current Citizen Participation Plan.

Chm. Halverson noted the CDBG program has been inflated by billions of dollars through the stimulus package so the opportunity for us to receive funds is very high.

Ald. Stroik expressed concern about special meetings. This is an easy item to draft because it doesn't harm us in any way, but to adopt it 15 minutes after a public hearing doesn't necessarily bode for an open government. He asked what the obstacles were for preventing this from going to the regular council meeting last month.

John Gardner noted we were just authorized to hire a consultant last month. This is a part of the application process.

Jerry Moore moved, seconded by Tony Patton, to recommend approval of adopting the Citizen Participation Plan. Ayes all; Nays none; Motion carried.

3. Recess to approximately 6:30 or immediately after Special June 1 Common Council Meeting

(Plan Commission Reconvenes immediately following Special Common Council Meeting)

7:40 P.M. - Resume Regular Plan Commission Meeting

Chairman Halverson called the Plan Commission meeting back to order.

4. Approval of the May 4, 2009 Plan Commission Minutes

Jerry Moore moved, seconded by Chm. Halverson, to recommend approval of the May 4, 2009 Plan Commission minutes. Ayes all; Nays none; Motion carried.

5. Consideration and Possible Action - UWSP Moses Creek Restoration Project

a. Site Plan Approval

b. Permission to use City-owned Land - SE Corner Michigan Ave. & Maria Dr.

Moses Creek Memo | Moses Creek Plan

Elevation 1 | Elevation 2 | Elevation 3 | Elevation 4

Aerial Photo | Photo - Today | Photo - Vision

John Gumtow, NRC, provided a PowerPoint presentation showing the area and noted the project is sponsored by DOT. He and Bruce Gerland are retained by DOT as designers of the project, and Schmeeckle Reserve owns the property. The main purpose of the project for DOT is to mitigate wetland losses from the Hwy. 10 project. For every wetland they impact from a highway project, they have to replace that wetland. He reviewed the land acquisitions over the years that have helped to make this project possible.

John Gardner noted the city partnered with the university on several of the acquisitions dedicating land that became the matching funds necessary to provide the match for the acquisition funding. We have worked cooperatively with UWSP to make the acquisitions happen.

John Gumtow provided the history of Moses Creek and noted that it carries a lot of flow in the spring but when the ice freezes, the trees and shrubs create ice dams that back up water further upstream. This project will change the creek from a ditch into more of a natural meandering state to prevent that from happening again.

DOT has done this type of project successfully before such as with the Lost Creek project east of Stevens Point where they took an agricultural field and converted it to wetland with a meandering stream channel through it. We are trying to be sensitive to the neighboring subdivision so we are providing a buffer of trees around this area.

John Gardner noted there were two meetings where all the neighbors were invited and we had pretty good attendance. They were also notified of this meeting. The one question that always came up was "are you really going to cut it?" The answer is yes they will clear cut the area and actually dish it out. The intent is to create the wetlands by exposing the groundwater by taking some of the soils out and bringing the surface down to groundwater.

Ron Zimmerman, Schmeckle Reserve Dir., stated this has been a dream of the university for more than 25 years and we now have the properties acquired from the campus up to the Sentry golf course. It has always been our intent to restore Moses Creek to alleviate flooding in the surrounding areas and restore ecological diversity to the reserve. Zimmerman noted this project will not result in high groundwater but the project does not control groundwater levels in the future.

Anna Haines asked if, after the clearcutting, you will plant the sedge meadow and then maintain it?

Ron Zimmerman responded under the agreement with DOT, they are responsible for maintaining that area and they may contract with the Schmeckle Reserve for labor.

Chm. Halverson noted the amount of soil removable may at first appear alarming, but it is a very exciting project with what it will become in the future. We were thrilled to have a large part in securing some of the land for Schmeckle. We support the project wholeheartedly and congratulated Ron Zimmerman on his work and having the right project at the right time.

Daryl DeDeker noted this is an opportunity to bring Moses Creek back to where it should have been.

Jerry Moore moved, seconded by Dave Medin, to recommend approval of a. the site plan as presented, and b. permission to use the City-owned land at the SE Corner of Michigan Ave. and Maria Dr. Ayes all; Nays none; Motion carried.

6. Consideration and Possible Action on Conditional Use for Lesser Street Setback in Single Family Zoning - NE Corner of Soo Marie Ave. and Ellis St. Memo

John Gardner reviewed the neighboring setbacks and noted a house could be built that would meet the 25' and 20' setbacks but would be long and narrow. The ordinance provides for lesser setbacks as a conditional use in cases where corner lots are 50' or less. The owner is petitioning for a conditional use to allow the Ellis St. setback to be 15 ft. (or 16 ft. with a 1 ft. porch extension). Pictures of the proposed building and neighboring setbacks were reviewed. If you decide to allow this, he suggests that the façade facing Soo Marie have bigger window treatment with shutters and landscaping. The owner has agreed to that.

Ken Lepak, petitioner, noted the 15 foot setback would allow for 200 ft more of ground space. Many houses on Ellis St. have less than 15 ft. setbacks.

Chm. Halverson moved, seconded by Jami Gebert, to recommend approval of the conditional use request for a lesser street setback at the NE corner of Soo Marie Ave. and Ellis St. based on compliance with the conditional use standards and include changing the window treatment and adding landscaping toward Soo Marie Ave. Ayes all; Nays none; Motion carried.

7. Consideration and Possible Action - Adoption of Floodplain Maps and Amend Portions of Section 23.08 Floodplain Ordinance of the Zoning Code Floodplain Memo | Floodplain Map | Floodplain Map East | Floodplain Map South | Floodplain Map West

John Gardner stated the Federal Emergency Management Agency (FEMA) requires that all of the floodplain maps be updated no later than July 20, 2009 in order for the city to be eligible to participate in the National Flood Insurance Program. It is important for people to be able to define if they are in or out of the floodplain. The updated maps have been on the website since January of 2008 when they were introduced. In the 1930s when they built the dam and raised the elevation of the flowage, they created a spillway on the west bank of the river, north of the Good News Fellowship Church, and the system is designed so that in the event of a flood, it doesn't top the dam here, it tops on the west bank and rejoins the Wisconsin River just north of the HH bridge. It is a system that has worked very well since the 1930s.

Chm. Halverson stated we have to thank the person that designed the spillway system in the 1930s because if that spillway was not present under a 100-year or 500-year flood, the entire city would be inundated. It is extremely important that we preserve this spillway.

John Gardner noted when they upgraded the maps, the assignment was not to change the elevations but simply take the old studies which projected how much water was coming down the river and apply those elevations to the newer more detailed information. When the dam at HH that forms McDill Pond was rebuilt, it did not have an approved operation maintenance plan. As a result, the DNR now looks at the water elevation in a gates closed condition. That resulted in an increase in the floodplain elevation of 2 feet. We then talked with the Village of Whiting to find out what it would take to get an operation maintenance plan approved. That is underway but won't get done by July 20 of this year.

Daryl DeDeker questioned if the people that are now in the flood plain going to have mortgage issues with insurance.

John Gardner responded yes they will. Barb Iris, sent out 150 letters with the maps to all the property owners that abut the Plover River and the channels. He and Ald. Slowinski then met with many of those people and explained what the implications of this would be. Approximately 20-30 people will be affected by the map changes. It is our goal to have the operation maintenance plan submitted and approved by the end of the year.

Mary Ann Laszewski, 1209 Wisconsin St., stated flood insurance is a big deterrent to property sales. She expressed concern that for decades there has not been any effort on the part of the city to remove the floodplain status from much of our central city. Could there be an operation maintenance plan in place that could help remove some of the central city homes from the floodplain as is being suggested for the McDill Pond area.

Reid Rocheleau, 408 Cedar St., stated lets treat everyone the same not just the higher tax payers.

Chm. Halverson stated we have a situation because of the nonexistence of an operation maintenance plan for the dam. The county of Portage built the dam. There are some issues that are unclear from the Village of Whiting's perspective. Gardner stated the two situations are not the same. The downtown floodplain is not caused by the lack of an operations plan and the removal of the floodplain will require a different process which is being reviewed.

Ald. Slowinski thanked John Gardner for his efforts on this since last summer. As far as the dam in Whiting, it is mandated by the DNR that the dam owner has to provide a plan.

Tony Patton moved, seconded by Anna Haines, to recommend adoption of the floodplain maps and amend portions of Section 23.08 Floodplain Ordinance of the Zoning Code. Ayes all; Nays none; Motion carried.

8. Adjourn.

Dave Medin stated he loves this community and represents this area of the city on the County Board. He wants to see the best aspects of this area preserved and the declining areas enhanced and feels he can accomplish that more by staying on the County Board. Some of his colleagues on the County Board suggest that he may not maintain objectivity or not have independent decisions if he is influenced by Common Council and Plan Commission particularly on the projects that the County will be acting on like the County campus for the downtown area. He is on committees that do influence the downtown and he would like to retain his standing on those committees. He is going to resign from the Plan Commission. He feels he can remain a stronger advocate for the part of this community that he loves very much.

Meeting adjourned at 8:45 p.m.

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