

City of Stevens Point Meeting Minutes

Common Council

Monday, August 17, 2009

Mayor Andrew Halverson, presiding

PRESENT: Ald. Mallison, Walther, O'Meara, Wiza, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore

ALSO PRESENT: City Attorney Molepske, City Clerk Moe, Comptroller-Treasurer Schlice, Directors Gardner, Schrader, Halverson; Interim Director Saunders, Lt. Carlson, Personnel Manager Jakusz, Assistant to the Mayor Pazdernik, Kari Yenter, Gene Kemmeter (Portage County Gazette), Meredith Thorn (Stevens Point Journal)

Index of these Minutes:

2. Salute to the Flag and Mayor's opening remarks.
3. Consideration of the minutes of the Regular Common Council meeting of June 15, 2009, the Special Common Council meeting of January 5, 2009, and the Special Joint Community Development Authority / Common Council meeting of June 23, 2009.
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. Election of Fifth District Alderperson - Presentation by Candidates.
7. Presentation by Sarah Robinson - Update from the Association of Downtown Businesses.
8. Consideration of minutes and actions taken at the Plan Commission meeting of August 3, 2009.
9. Consideration of Ordinance Amendment - Correction on Annexation Ordinances - Designation of Wards.
10. Consideration of Ordinance - Annexation of 3106 Stanley St.
11. Public Hearing - Zoning - Classify 3106 Stanley St. as "R-2" Single Family.
12. Consideration of Ordinance Amendment on the above.
13. Public Hearing - Ch. 23.02(1)h R-TND of the RMC - Amend Traditional Neighborhood Overlay District to Include the SE Quarter of Section 5 (Whiting Ave. and Riverview).
14. Consideration of Ordinance Amendment on the above.
15. Public Hearing - Construction of an Open Porch at 3316 Whiting Ave. using Traditional Neighborhood Overlay District Setback Requirements.
16. Consideration of Resolution on the above.
17. Public Hearing - Conditional Use - Re-Construction of a Garage at 2001 College Ave. using Traditional Neighborhood Overlay District Setback Requirements.
18. Consideration of Resolution on the above.
19. Public Hearing - Conditional Use - Construction of a Garage at 2849 Water St. using Traditional Neighborhood Overlay District Setback Requirements.
20. Consideration of Resolution on the above.
21. Consideration of the minutes and actions taken at the Public Protection Committee meeting of August 10, 2009.
22. Consideration of Ordinance Amendment - Amend Ch. 12.22 RMC- Taxicab Firms.
23. Consideration of minutes and actions taken at the Board of Public Works meeting of August 10, 2009 and the minutes of the Special Board of Public Works meeting of July 20, 2009.
24. Consideration of minutes and actions taken at the Finance Committee meeting of August 10, 2009.
25. Consideration of minutes and actions taken at the Personnel Committee meeting of August 10, 2009.
26. Consideration of minutes and actions taken at the Board of Water & Sewage Commissioners meeting of August 10, 2009.
27. Consideration of minutes of the Police and Fire Commission meetings of July 15, July 23, and August 4, 2009.
28. Consideration of the Statutory Monthly Financial Report of the Comptroller-Treasurer.
29. Mayoral Appointments.
30. Adjournment.

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

Mayor Halverson announced chip sealing will start tomorrow on the northside of the City.

3. Consideration of the minutes of the Regular Common Council meeting of July 20, 2009.

Ald. Stroik moved, Ald. Trzebiatowski seconded, approval of the Regular Common Council minutes of July 20, 2009.

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.

Reid Rocheleau, 408 Cedar Street West, Whiting:

Item #5 - Persons who wish to address Mayor and Council

Item #6 - Election of Fifth District Alderperson

Item #29 - Mayoral Appointments

Cathy Dugan, 615 Sommers Street, Stevens Point, WI 54481:

Item #5 - Persons who wish to address Mayor and Council

Sally Jean Worzella, 1608 Wyatt Avenue, Stevens Point, WI 54481:

Item #6 - Election of Fifth District Alderperson

John Jury, 935 Old Wausau Road, Stevens Point, WI 54481:

Item #24 - Finance Committee meeting of August 10, 2009

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

Ald. Slowinski voiced his frustration on the long delays at the railroad crossing on Country Club Drive.

City Attorney Molepske said Congress adopted a Railroad Safety Act which took jurisdiction over railroad transportation. He said it is very difficult for the City to enforce this.

Reid Rocheleau, 408 Cedar Street W., voiced his concerns on the foreclosure of the mall and the City Attorney having too much authority.

Cathy Dugan, 615 Sommers Street, suggested that the Council review the Traditional Neighborhood Overlay District and compare it with other communities.

6. Election of Fifth District Alderperson - Presentation by Candidates. See Letters from Candidates

City Attorney Molepske stated traditionally for elections of alderpersons, we use a majority vote. He said the Council also needs to decide on the length of term for the Fifth District Alderperson. The City Attorney said it would either be a 21 month term which is the balance of the term or approximately eight months with an election in April, 2010.

Ald. Stroik asked if they were elected in April, would it be a one year term.

City Attorney Molepske replied that is correct.

Ald. Wiza stated if there is a clear majority which would be six votes, that person would be seated. He said if there is not a clear majority, then the top two would go on to the second round.

Mayor Halverson read the motion made at the election of Ald. Brooks as an example for the Council. He noted the length of term must also be included in the motion.

Ald. Stroik noted there is no additional cost because there is already an election in April.

Ald. Slowinski clarified that the individual would be elected for one year.

Ald. O'Meara does not see why the term has to be for only one year. He suggested a two year term and from then on elect the Fifth District Alderperson with the even numbered alderpersons.

Mayor Halverson said that cannot be done.

Ald. Wiza moved, Ald. Slowinski seconded, to adopt a first round of voting, if a majority vote is achieved at this point, that person will be the new alderperson. If not, the Council would move forward with the top two candidates with the most votes, to the second round of voting. If it is a five to five vote on the first round, the Mayor would not exercise his authority to change that vote. The Council would proceed to an additional round, if it is a tie, the Mayor would exercise his right to break the tie. Paper ballots will be used and signed by the alderpersons. One question per alderperson to the candidate will be allowed. The elected alderperson shall serve out eight months and be re-elected at the April election for a one year term.

Roll Call: Ayes all.

Nays none. Motion carried.

Reid Rocheleau, 408 Cedar Street W., supports Ms. Neville. He stated that Ms. Neville canvassed her district and collected approximately 170 signatures. Mr. Rocheleau noted that Mr. Sowieja lost at his last election.

Sally Jean Worzella, 1608 Wyatt Avenue, supports Sharon Mras as Fifth District Alderperson.

Candidate David Sowieja, 2208 Wyatt Avenue, offered his services again as he had previously served on the Council.

Ald. Trzebiatowski asked if Mr. Sowieja continued to follow City business.

Candidate David Sowieja stated he views the City's web-site.

Ald. Stroik asked what are the two most important issues facing the City in the next eight months.

Candidate David Sowieja said he cannot pinpoint two specific issues. He said he may have concerns but ultimately it is the Council's decision.

Ald. Stroik asked what two things he would like to see improved in the Fifth District.

Candidate David Sowieja said he would like to see the streets improved in his district.

Candidate Sharon Mras, 1600 East Avenue, gave a brief review of her background and accomplishments. She said her motto is, "Their future depends on us."

Ald. Stroik asked Ms. Mras what two issues she would like to see improved in her district.

Candidate Sharon Mras said she would like to see street improvements and additional stop signs on East Avenue, Boyington Avenue and Jefferson Street.

Ald. Wiza asked Ms. Mras what she is going to do about her concerns.

Candidate Sharon Mras said she would like to work with the Council to get something done.

Ald. Molski asked Ms. Mras what she feels are the two main issues in the City.

Candidate Sharon Mras stated the downtown and the Dog Park.

Candidate Mildred Neville, 1709 Jefferson Street, said she prepared for the meetings, talked to the neighbors and collected signatures. She submitted the signatures that she collected and they were placed on file.

Ald. Stroik asked Ms. Neville what two issues she would like to see improved in her district.

Candidate Mildred Neville said she would like to see safety concerns addressed and meet with the residents to get their concerns.

Ald. Trzebiatowski asked Ms. Neville when she moved to the Fifth District.

Candidate Mildred Neville replied she physically moved approximately one year ago.

Ald. Brooks asked Ms. Neville how she will use her past experiences to benefit her as alderperson.

Candidate Mildred Neville reviewed some of her past experiences such as chicken farming, working at the Department of Corrections and Psychological Services. Ms. Neville said she will keep at the task.

Ald. Wiza asked Ms. Neville how she plans to fix the concerns in her district.

Candidate Mildred Neville said she would determine the extent of the problem and the options available.

Candidate Bob Prosch, 2801A Church Street, reviewed his past experiences including sales and business ownership. He felt Ms. Heart was on the right path.

Ald. Wiza asked Mr. Prosch what he would do to exploit the opportunity for the downtown.

Candidate Bob Prosch said he would get local input.

Ald. Stroik asked Mr. Prosch what two issues he would like to see improved in his district.

Candidate Bob Prosch said he would like the roads improved and more enforcement for speeding.

Ald. Trzebiatowski asked how long Mr. Prosch resided in his district.

Candidate Bob Prosch replied about three years.

Ald. Brooks asked what the City of Stevens Point is doing correct in comparison to other communities.

Candidate Bob Prosch replied the way the downtown is taken care of especially the murals.

Candidate John Brown, 2132 McCulloch Street, gave a brief background of his educational and work experiences. Mr. Brown enjoys the quality of life in Stevens Point.

Ald. Stroik asked Mr. Brown what two issues he would like to see improved in his district.

Candidate John Brown said he would like to see the railroad noise reduced and the streets improved.

Ald. Wiza asked what one thing Mr. Brown would like to see accomplished and how he planned to accomplish it.

Candidate John Brown said he wants to work on the budget to continue the same quality of life.

Ald. Wiza thanked and commended all the candidates for stepping forward to run for alderperson.

Voting ballots for the election of the Fifth District Alderperson were distributed by Clerk Moe.

Mayor Halverson asked if there was anyone further in the audience that would like to submit their name for Fifth District alderperson. There were no additional names submitted. The Mayor instructed the Council members to move forward with casting their vote.

Clerk Moe collected the first round of voted ballots.

City Attorney Molepske, Clerk Moe and Comptroller-Treasurer Schlice tallied the votes. The vote was 3, 2, 2, 2 and 1. David Sowieja received the lowest amount of votes and was eliminated from the race.

Clerk Moe distributed the second round of ballots and collected the ballots when the Council members were finished voting.

City Attorney said we deviated from the rules that were established. He explained that one candidate received three votes last time which is the highest candidate so that candidate would remain and there would be a runoff between the three candidates receiving two votes. The City Attorney stated that this round of votes would not count.

Clerk Moe redistributed a new set of second round ballots for the three candidates (Mras, Neville, and Prosch) who tied with the second highest number of votes and collected them when the Council finished voting.

Mayor Halverson reiterated that this vote is for the candidates that received the second highest number of votes.

City Attorney Molepske, Clerk Moe and Comptroller-Treasurer Schlice tallied the votes.

Mayor Halverson announced that there was another tie and through that process Sharon Mras was eliminated after receiving the least number of votes.

Clerk Moe distributed the third round of ballots to break the tie between candidates Neville and Prosch. He then collected the ballots after the Council was finished voting.

City Attorney Molepske, Clerk Moe and Comptroller-Treasurer Schlice tallied the votes. Mildred Neville was eliminated after the votes were counted.

Mayor Halverson called for a brief recess.

Mayor Halverson reconvened the Council meeting.

Clerk Moe distributed the fourth round of ballots for the two top vote receivers Prosch and Brown. He then collected them when the Council was finished voting.

City Attorney Molepske, Comptroller-Treasurer Schlice and Clerk Moe tallied the votes.

Bob Prosch received six votes.

John Brown received four votes.

Mr. Prosch was elected Fifth District Alderperson.

Clerk Moe administered the oath of office to Bob Prosch.

Bob Prosch signed his oath and was seated as Fifth District Alderperson.

7. Presentation by Sarah Robinson - Update from the Association of Downtown Businesses.

Sarah Robinson gave a brief update on the downtown work projects and events.

8. Consideration of minutes and actions taken at the Plan Commission meeting of August 3, 2009.

Ald. Moore moved, Ald. Trzebiatowski seconded, to accept the minutes and place them on file and affirm the actions taken at the Plan Commission meeting of August 3, 2009.

Roll Call: Ayes all.
Nays none.

9. Consideration of Ordinance Amendment - Correction on Annexation Ordinances - Designation of Wards.

Ald. O'Meara moved, Ald. Mallison seconded, to accept the Ordinance Amendment - Correction on Annexation Ordinances - Designation of Wards.

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

10. Consideration of Ordinance - Annexation of 3106 Stanley St.

Ald. O'Meara moved, Ald. Moore seconded, to adopt the Ordinance annexing 3106 Stanley Street.

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

11. Public Hearing - Zoning - Classify 3106 Stanley St. as "R-2" Single Family.

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 Ordinance Amendment on the above.

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

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

13. Public Hearing - Ch. 23.02(1)h R-TND of the RMC - Amend Traditional Neighborhood Overlay District to Include the SE Quarter of Section 5 (Whiting Ave. and Riverview).

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 Ordinance Amendment on the above.

Ald. Slowinski moved, Ald. Molski seconded, approval of the ordinance amendment.

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

15. Public Hearing - Construction of an Open Porch at 3316 Whiting Ave. using Traditional Neighborhood Overlay District Setback Requirements.

The public hearing was declared open by the Mayor.

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

16. Consideration of Resolution on the above.

Ald. Brooks moved, Ald. Moore seconded, adoption of the resolution.

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

17. Public Hearing - Conditional Use - Re-Construction of a Garage at 2001 College Ave. using Traditional Neighborhood Overlay District Setback Requirements.

The public hearing was declared open by the Mayor.

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

18. Consideration of Resolution on the above.

Ald. Mallison moved, Ald. Brooks seconded, approval of the conditional use for the reconstruction of a garage at 2001 College Avenue.

Ald. Wiza questioned if the setback should be for the front and side. He said the pictures look like it should be the rear and side setback.

Director Gardner replied it is on the rear and side.

Ald. Wiza noted then the resolution will be amended.

Mayor Halverson said that will be noted.

Ald. O'Meara is concerned with fire and safety issues with only a one-foot setback.

Mayor Halverson asked the property owner to explain his situation for the lesser setback.

Steve Smith, 2001 College Avenue, is the property owner. He noted all the improvements that he has made to the property. Mr. Smith said his yard is very small and it would not be attainable if he used the regular setbacks.

Ald. O'Meara suggested using fire retardant siding.

Ald. Brooks pointed out that it is not getting any closer on either side, it is just moving forward.

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

19. Public Hearing - Conditional Use - Construction of a Garage at 2849 Water St. using Traditional Neighborhood Overlay District Setback Requirements.

The public hearing was declared open by the Mayor.

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

20. Consideration of Resolution on the above.

Ald. Stroik moved, Ald. Moore seconded, approval of the resolution.

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

21. Consideration of the minutes and actions taken at the Public Protection Committee meeting of August 10, 2009.

Ald. Trzebiatowski moved, Ald. Stroik seconded, to approve the minutes and actions taken at the Public Protection Committee meeting of August 10, 2009.

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

22. Consideration of Ordinance Amendment - Amend Ch. 12.22 RMC- Taxicab Firms.

Ald. O'Meara moved, Ald. Walther seconded, to adopt the ordinance amendment.

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

23. Consideration of minutes and actions taken at the Board of Public Works meeting of August 10, 2009 and the minutes of the Special Board of Public Works meeting of July 20, 2009.

Ald. O'Meara moved, Ald. Mallison seconded, to accept the minutes and actions taken at the Board of Public Works meeting of August 10, 2009 and the Special Board of Public Works meeting of July 20, 2009.

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

24. Consideration of minutes and actions taken at the Finance Committee meeting of August 10, 2009.

Ald. Stroik moved, Ald. Molski seconded, approval of the minutes and actions taken at the Finance Committee meeting of August 10, 2009.

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

25. Consideration of minutes and actions taken at the Personnel Committee meeting of August 10, 2009.

Ald. Molski moved, Ald. Moore seconded, approval of the minutes and actions taken at the Personnel Committee meeting of August 10, 2009.

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

26. Consideration of minutes and actions taken at the Board of Water & Sewage Commissioners meeting of August 10, 2009.

Ald. Slowinski moved, Ald. Trzebiatowski seconded, to approve the minutes and actions taken at the Board of Water & Sewage Commissioners meeting of August 10, 2009.

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

27. Consideration of minutes of the Police and Fire Commission meetings of July 15, July 23, and August 4, 2009.

Ald. Stroik moved, Ald. Mallison seconded, approval of the minutes of the Police and Fire Commission meetings of July 15, 23 and August 4, 2009.

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

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

Ald. Molski moved, Ald. Moore seconded, to accept the Statutory Monthly Financial Report of the Comptroller-Treasurer and place it on file.

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

29. Mayoral Appointments:

Appointment of Alderperson to the Personnel Committee
Plan Commission - Unexpired Term Medin - (Expires 04/30/10)
Appoint Shari Laskowski, 1825 Halstad Drive
Police and Fire Commission - Unexpired Term Meyer - (Expires 04/30/12)
Appoint Gary Wescott, 1808 Texas Avenue
Board of Park Commissioners - OPEN - (Expires 05/06/12)
Scott West - 2501 Rice Street
Citizen Participation Plan designee (CDBG matters)
John Gardner, 1308 Wisconsin St.
Smongeski Health Fund Committee - 1 year term expires September 1, 2010
Reappoint Cherri Pavelec-Marti, 900 Illinois Avenue
Reappoint W. William Zimdars, 3924 Doolittle Drive #6

Reid Rocheleau, 408 Cedar Street W., voiced his concerns on appointing John Gardner to the Citizens Participation Plan (CDBG matters).

Mayor Halverson clarified that John Gardner is the designee for the City for all Citizen Participation Plan references to Community Development Block Grant processes. He said Mr. Gardner had unofficially acted in this role for many years.

Ald. Wiza asked for background qualifications for Shari Laskowski and Scott West.

Mayor Halverson reviewed the background for Shari Laskowski including small business and apartment ownership. He said Gary Wescott was chosen for his prospective on the budget challenges. The Mayor said Scott West had previously served on the Parks Commission.

Ald. Wiza asked that the background information for the appointments be included in the packets.

Ald. Stroik moved, Ald. Moore seconded, approval of the Mayoral appointments.

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

Mayor Halverson stated he overlooked that John Jury registered to speak on agenda item #24 and offered him the opportunity to speak at this time.

John Jury, 935 Old Wausau Road, reviewed how the room tax system works. He said room tax funds were used to help renovate the Skating and Ice Arena, Bukolt Park and Zenoff Park project.

30. Adjournment.

Adjournment at 9:10 p.m.

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