

Meeting Minutes

Regular City Council Meeting

June 16, 2008, 7:00 p.m.

Council Chambers, County-City Building

Mayor Andrew Halverson, presiding Roll Call: Ald. Myers, Walther, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore

Excused: Ald. Hanson

Also Present: City Attorney Molepske, City Clerk Moe, Comptroller/Treasurer Schlice, Directors Gardner, Schrader, Euclide, Halverson; Interim Police Chief Dowling, Interim Fire Chief Zinda, Transit Manager Lemke, Personnel Manager Jakusz, Kari Yenter, Gene Kemmeter (Portage County Gazette), Shenandoah Sowash (Stevens Point Journal)

Index to these minutes:

2. Salute to the Flag and Mayor's opening remarks.
3. Consideration of the minutes of the Regular Common Council meeting of May 19, 2008 and the Special Common Council meeting of June 9, 2008.
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. Resolution Recognizing the Old Main Neighborhood Association.
7. Report from the Stevens Point Eco-Municipality Task Force.
8. Resolution Declaring the City of Stevens Point an Eco-Municipality.
9. Reconsideration of Parking Issue in Reference to Renovation of Goerke Stadium.
10. Hearing and determination of the Non-Renewal of the Combination Liquor and Beer License of Centerpoint LTD Partnership (Mall).
11. Consideration of minutes and actions taken at the Plan Commission meeting of June 2, 2008.
12. Public Hearing - Conditional Use - Request of Thomas and Barbara Reichelt, 2102 Strongs Ave., to Construct a Garage using Traditional Neighborhood Overlay District Setback Requirements.
13. Resolution on the above.
14. Public Hearing - Rezoning Area Northeast of Falcon's Cove in Eagle Pointe Subdivision from "R- LD" Low Density to "R-1" Suburban Single Family (Approx. 18 acres).
15. Resolution on the above.
16. Resolution - Accepting 1.1 Acres of Land along North Wilshire Drive.
17. Resolution - Accepting Final Plat known as the First Addition to Eagle Pointe Subdivision.
18. Public Hearing - Conditional Use - Request of Jason Glisczynski, 1920 Adams St., Plover, to Operate a Tavern at 2124 Rice Street.
19. Resolution on the above.
20. Consideration of minutes and actions taken at the Special Plan Commission meeting of June 12, 2008.
21. Consideration of minutes and actions taken at the Board of Public Works meeting of June 9, 2008.
22. Public Hearing - Replacement of Clay Sanitary Sewer Laterals and/or Galvanized Water Services - Project #03-08 - All properties fronting both sides of Fourth Avenue from Second Street to 180 feet west of Lee Street.
23. Final Resolution on the above.
24. Consideration of minutes and actions taken at the Finance Committee meeting of June 9, 2008.
25. Consideration of minutes and actions taken at the Personnel Committee meeting of June 9, 2008.
26. Ratification of 2007-2008 Tentative Labor Agreement with IAFF Local 484 (Firefighters).
27. Consideration of minutes and actions taken at the Public Protection Committee meeting of June 9, 2008.
28. Ordinance Amendment - Licenses/Permits - Sec. 12.14(18) - On File Period for Temporary (Picnic) License applications.
29. Consideration of minutes and actions taken at the Special Joint Finance Committee / Board of Public Works meeting of June 16, 2008.
30. Consideration of minutes and actions taken at the Board of Parks Commissioners meeting of June 4, 2008.
31. Resolution Opposing Stewardship Program Restrictions.
32. Consideration of minutes and actions taken at the Board of Water & Sewage Commissioners meeting of June 9, 2008.
33. Mayoral Appointment: The Portage County Public Transit-Human Services Transportation Coordinating Committee - Hans Walther, 2424 Ellis Street.
34. Consideration of minutes and actions taken at the Police and Fire Commission meeting of June 10, 2008.
35. Consideration of the statutory monthly financial reports of the Comptroller-Treasurer for April 2008.
36. Adjournment.

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

Mayor Halverson thanked Director Euclide, who will be retiring at the end of the year, for his years of service. He thanked all the members of the Eco-Municipality Committee for all their hard work. The Mayor announced that the groundbreaking ceremony took place for Travel Guard. He noted that AIG/Travel Guard will purchase both the property and new building. Mayor Halverson stated the possibility of creating a Department of Public Safety will be studied and Police Chief Morris will be in charge of the study. He announced that John Zinda was named Interim Fire Chief and Jim Dowling as Interim Police Chief.

3. Consideration of the minutes of the Regular Common Council meeting of May 19, 2008 and the Special Common Council meeting of June 9, 2008.

Ald. Stroik moved, Ald. Wiza seconded, approval of the regular Common Council minutes of May 19, 2008 and the Special Common Council minutes of June 9, 2008.

Ald. Wiza would like it noted in the Special Common Council minutes of June 9, 2008 that he stressed to try for a long term lease rather than to sell for \$1.

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.

Cathy Dugan, 615 Sommers Street, Stevens Point, WI 54481:
Item #5 - Persons who wish to address Mayor and Council
Item #6 - Resolution-Old Main Neighborhood Assoc.
Item #8 - Resolution-City as Eco-Municipality
Item #9 - Reconsideration of Parking Issue for Goerke Renovation
Item #11 - Plan Commission meeting of June 2, 2008
Item #20 - Special Plan Commission meeting of June 12, 2008
Item #21 - Board of Public Works meeting of June 9, 2008
Item #24 - Finance Committee meeting of June 9, 2008
Item #30 - Board of Parks Commissioners meeting of June 4, 2008

Reid Rocheleau, 408 Cedar Street W, Whiting, WI:
Item #5 - Persons who wish to address Mayor and Council
Item #9 - Reconsideration of Parking Issue for Goerke Renovation
Item #11 - Plan Commission meeting of June 2, 2008
Item #30 - Board of Parks Commissioners meeting of June 4, 2008

Rick Whipp, 2016 Main Street, Stevens Point, WI 54481: Item #6 - Resolution-Old Main Neighborhood Assoc.; Item #8 - Resolution-City as Eco-Municipality

Tom Brown Item, 616A Fourth Avenue, Stevens Point, WI 54481: #8 - Resolution-City as Eco-Municipality

Jo Seiser, 317 Sixth Avenue, Stevens Point, WI 54481: Item #8 - Resolution-City as Eco-Municipality; Item #9 - Reconsideration of Parking Issue for Goerke Renovation

Lynn Markham, 302 Georgia Street N, Stevens Point, WI 54481: Item #8 - Resolution-City as Eco-Municipality

Jenny Knade Item, 1932 Church Street, Stevens Point, WI 54481: #8 - Resolution-City as Eco-Municipality

Katie Kloth, 1949 Church Street, Stevens Point, WI 54481: #8 - Resolution-City as Eco-Municipality

Erika Wardle, 1949 Church Street, Stevens Point, WI 54481: #8 - Resolution-City as Eco-Municipality

Jackson Case, 3028 Stanley Street, Stevens Point, WI 54481: Item #8 - Resolution-City as Eco-Municipality

Bill Berry, 1973 Strongs Avenue, Stevens Point, WI 54481: Item #8 - Resolution-City as Eco-Municipality

Steve Smith, 933 Michigan Avenue, Stevens Point, WI 54481: Item #9 - Reconsideration of Parking Issue for Goerke Renovation

Steve Chizzo, 2525 Prais Street, Stevens Point, WI 54481: Item #9 - Reconsideration of Parking Issue for Goerke Renovation

Bridget Stafford, 2509 Prais Street, Stevens Point, WI 54481: Item #9 - Reconsideration of Parking Issue for Goerke Renovation

Cheryl Langreck, 900 Minnesota Avenue, Stevens Point, WI 54481: Item #9 - Reconsideration of Parking Issue for Goerke Renovation

Gene Budelier, 2524 Prais Street, Stevens Point, WI 54481: Item #9 - Reconsideration of Parking Issue for Goerke Renovation

Trevor Ronk, 209 Second St. N. #4, Stevens Point, WI 54481: Item #9 - Reconsideration of Parking Issue for Goerke Renovation

Don Fabisiak, 2516 Prais Street, Stevens Point, WI 54481: Item #9 - Reconsideration of Parking Issue for Goerke Renovation

Ryan Barz, Point of Beginning, Stevens Point, WI 54481: Item #11 - Plan Commission meeting of June 2, 2008

Leanne Krutza, 6373 State Hwy. 54, Plover, WI 54467: Item #25 - Personnel Committee meeting of June 9, 2008

Tim Krutza, 6373 State Hwy 54, Plover, WI 54467: Item #25 - Personnel Committee meeting of June 9, 2008

Steve Louis, 525 Forest Street, Stevens Point, WI 54481: Item #25 - Personnel Committee meeting of June 9, 2008

Jessie Johnson, 4717 Partridge Way, Stevens Point, WI 54481: Item #29 - Special Joint Finance Committee/Board of Public Works meeting of June 16, 2008

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

Ald. Wiza asked who will receive the funds from the TIF overage.

Comptroller/Treasurer stated it will go to AIG.

Cathy Dugan, 615 Sommers Street, asked what area is included in the Design Review District and what type of review is required.

Director Gardner said it includes the Lullaby property and the Commission has to review the development.

Reid Rocheleau, 408 Cedar Street W., suggested revamping the Public Works Department.

6. Resolution Recognizing the Old Main Neighborhood Association.

Rick Whipp, 2016 Main Street, supports the Old Main Neighborhood Association. He said communication has increased and encouraged others

to organize neighborhood associations.

Cathy Dugan, 615 Sommers Street, supports the Old Main Neighborhood Association.

Ald. Heart moved, Ald. Slowinski seconded, to approve the resolution recognizing the Old Main Neighborhood Association.

Roll Call: Ayes all.

Nays none. Motion carried.

7. Report from the Stevens Point Eco-Municipality Task Force.

Ald. Wiza moved, Ald. Heart seconded, to accept the report from the Stevens Point Eco-Municipality Task Force and place it on file.

Ald. Wiza urged the community members to review the report.

Roll Call: Ayes all.

Nays none. Motion carried.

8. Resolution Declaring the City of Stevens Point an Eco-Municipality.

Ald. Stroik moved, Ald. Heart seconded, approval of the resolution declaring the City of Stevens Point an Eco-Municipality.

Ald. Heart said it has been an inspiring year working on the Eco-Municipality Task Force. She stated a lot of great ideas are included in the report.

Tom Brown, 616A Fourth Avenue, helped organize some of the recommendations in the report.

Cathy Dugan, 615 Sommers Street, supports the Eco-Municipality Task Force report and urged the City to implement the recommendations.

Jo Seiser, 317 Sixth Avenue, said the report is something to work on over a length of time to improve. She thanked the City for participating in this project.

Lynn Markham, 302 Georgia Street N., said there are many benefits of being an Eco-Municipality to reduce costs and energy.

Jenny Knade, 1932 Church Street, supports the City of Stevens Point as an Eco-Municipality.

Katie Kloth, 1949 Church Street, said the Student Government Association passed a resolution in support of Stevens Point as an Eco-Municipality. She said the goals set forth by the Eco-Municipality Task Force are to reduce our community's dependence on fossil fuels and extracted underground metals as well as encourage the development of things like community gardens and bike lanes.

Erika Wardle, 1949 Church Street, supports the City of Stevens Point as an Eco-Municipality and stressed the importance recognizing economic sustainability.

Jackson Case, 3028 Stanley Street, reiterated the importance of the City of Stevens Point as an Eco-Municipality. He said the City must try hard to put everything possible into motion from the report.

Bill Berry, 1973 Strongs Avenue, said this effort has a lot of local support.

Eric Olson, 1317 Wisconsin Street, registered in favor but did not speak.

Susan Ermer, 209 Fourth Avenue, registered in favor but did not speak.

Lois E. Feldman, 4008 Sunset Fork, registered in favor but did not speak.

Erica Berg, 1346 North Point Drive, registered in favor but did not speak.

Becky Daugherty, 5219 Howard Avenue, registered in favor but did not speak.

Sara Windjue, 601 Washington Avenue, registered in favor but did not speak.

Bobbi Kubish, 1900 Lincoln Avenue, registered in favor but did not speak.

Roll Call: Ayes all.

Nays none. Motion carried.

9. Reconsideration of Parking Issue in Reference to Renovation of Goerke Stadium.

Mayor Halverson read the Standing Rule of the Common Council Section 2.21 - Reconsideration of a question.

Ald. Brooks moved, Ald. Slowinski seconded, for reconsideration of parking issue in reference to renovation of Goerke Stadium.

Ald. Brooks agrees a parking lot is needed but it is too soon to decide that this is the best location. He recommended this for reconsideration to discuss putting it back into the original plan to look at parking alternatives.

Ald. Heart said the Council needs additional time and consideration before putting it back into the plan.

Ald. Moore said it would be short-sighted for the Council not to have a plan to deal with the parking issue.

Ald. Walther agrees we need to study alternate parking options.

Ald. Wiza said the issue of parking should be looked at when the additional seating is added and it is a success. He said the neighbors do not have a problem with on-street parking but they do have a problem with the removal of the green space.

Ald. Stroik said the Council needs to reconsider this now so we can receive private funding.

Ald. Trzebiatowski said people will find a way to get to the stadium. He said there are other parking areas that can be utilized.

Ald. Heart said it is not appropriate to reconsider this as part of the Goerke Stadium project. She said it needs to be addressed separately with a Task Force.

Ald. Wiza said perhaps a contingency fund should be set aside for when the issue of parking arises.

Ald. Myers said this will not necessarily place parking on the green space but looks at the entire picture.

Mayor Halverson said without reconsideration, parking is excluded from being considered in the plan.

Ald. Wiza believes only parking on the green space has been excluded.

Mayor Halverson said it is more exclusive than just that area.

Ald. Stroik said the motion clearly stated that parking be removed from the plan.

Ald. Wiza said the plan called for parking behind K. B. Willett Arena. He asked if removing parking from that plan precludes the Council from looking at other alternatives for parking.

City Attorney Molepske replied no, successive Councils can present something else. He noted that it would take a majority of the Council to implement it.

Ald. Wiza asked if this could be brought back at any time.

City Attorney Molepske said it could. He said the motion is to reconsider what was done at the last Council meeting.

Ald. Wiza stated the Council excluded turning the green space behind Goerke Field into a parking lot. He said by reconsidering this, it will put that area back on as a parking area.

City Attorney Molepske replied that is correct.

Ald. Brooks said the Council can create a motion to allow for the consideration of a parking concept.

Ald. Heart asked how would they be seeking private funds for parking and what if it is determined that on-street parking is sufficient. She wants to be careful with what is being reconsidered and approved.

Mayor Halverson said reconsideration is needed to pursue any level of parking in the Goerke Park Plan.

Ald. Moore said parking needs to be included in the plan so we can offset some of the costs.

Roll Call: Ayes: Ald. Myers, Slowinski, Molski, Stroik, Brooks, Moore.

Nays: Ald. Walther, Wiza, Heart, Trzebiatowski.

Ayes - 6. Nays - 4. Motion carried.

Ald. Brooks moved, Ald. Moore seconded, to approve parking in concept for the Goerke Improvement project with approval of location and design by a future Common Council before construction of a parking solution can commence, in addition, a committee including citizens of the immediate area and school officials from P. J. Jacobs and MSTC should be created to facilitate the design and location.

Ald. Walther moved, Ald. Wiza seconded, amendment to exclude the green space east of MSTC and west of K. B. Willett Arena from any consideration for a parking lot.

Ald. Stroik cautioned the Council from completely eliminating this area.

Ald. Brooks hopes this area is not used for parking but it should not be completely excluded.

Roll Call: Ayes: Ald. Walther, Wiza, Heart, Trzebiatowski.

Nays: Ald. Myers, Slowinski, Molski, Stroik, Brooks, Moore.

Ayes - 4. Nays - 6. Motion failed.

Steve Smith, 933 Michigan Avenue, declined his opportunity to speak.

Steve Chizzo, 2525 Prais Street, noted that many stadiums have a lack of parking but people still attend the events. He said the neighborhood currently absorbs the additional people and parking and that will continue in the future.

Bridget Stafford, 2509 Prais Street, is concerned with the lack of planning. She wants to see a parking study for this project.

Charles Stanley, 900 Minnesota Avenue, registered against but did not speak.

Cheryl Langreck, 900 Minnesota Avenue, stated the green space is used on a regular basis and wants it to remain that way.

Reid Rocheleau, 408 Cedar Street W., supports saving the green space.

Cathy Dugan, 615 Sommers Street, commended the Council for considering other parking options.

Jo Seiser, 317 Sixth Avenue, said the discussion is good. She believes the use of cars will decrease.

Gene Budelier, 2524 Prais Street, enjoys watching the children using the green space. He mentioned a professional team even used this area to scrimmage.

Trevor Ronk, 209 Second Street N., suggested improving the sidewalks as more people will be walking or riding bikes.

Don Fabisiak, 2516 Prais Street, asked the Council to take more time and study this issue.

Ald. Brooks said the motion will allow us to discuss this and create a committee for their input.

Ald. Heart does not agree with creating some type of parking structure without considering the long term use of this neighborhood.

Ald. Stroik said this is only a plan and does not mean a parking structure will be constructed.

Ald. Trzebiatowski said the Council needs to maintain the same level of concern for the green area as previous Councils.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Slowinski, Wiza, Myers.

Nays: Ald. Trzebiatowski, Heart, Walther.

Ayes - 7. Nays - 3. Motion carried.

10. Hearing and determination of the Non-Renewal of the Combination Liquor and Beer License of Centerpoint LTD Partnership (Mall).

Mayor Halverson asked if anyone was present to speak on this agenda item. He then asked if anyone was here a behalf of Centerpoint LTD Partnership (Mall).

No one was present on behalf of Centerpoint LTD Partnership and no one wished to speak on this item.

City Attorney Molepske said the mall has not used their license for the past two years. He said the ordinance provides that if the license is not used it is subject to non-renewal or revocation.

For the record, on May 13, 2008 at 3:20 p.m., Irene Taves was served with a Notice of Intent to refuse to renew the Class "B" Retailers Fermented Malt and Intoxicating License at 1201 Third Court. An Affidavit issued by the City Clerk is on file in which he indicates that contrary to Section 12.14(7)(a) of the Municipal Code, the license holder has not used or operated such license for a period of one year that such non-use is evident from the reports that are on file in the office of the City Clerk.

City Attorney Molepske stated the Public Protection Committee recommended to not renew this license. He said notice was given which indicated that there would be a hearing this evening. The Attorney stated no one appeared or objected to the same this evening.

Ald. Stroik moved, Ald. Trzebiatowski seconded, for non-renewal of the Combination Liquor and Beer license of Centerpoint LTD Partnership also known as the Mall for non-use.

Roll Call: Ayes all.

Nays none. Motion carried.

11. Consideration of minutes and actions taken at the Plan Commission meeting of June 2, 2008.

Ald. Moore moved, Ald. Slowinski seconded, approval of the minutes and affirm the actions taken at the Plan Commission meeting of June 2, 2008.

Ryan Barz of Point of Beginning declined his opportunity for comments.

Reid Rocheleau, 408 Cedar Street W., voiced his concerns on the TIF District for the Hofmeister property.

Roll Call: Ayes all.

Nays none. Motion carried.

12. Public Hearing - Conditional Use - Request of Thomas and Barbara Reichelt, 2102 Strongs Ave., to Construct a Garage 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.

13. Resolution on the above.

Ald. Stroik moved, Ald. Moore seconded, approval of the conditional use at 2102 Strongs Avenue.

Roll Call: Ayes: Ald. Myers, Walther, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.

Nays: None. Motion carried.

14. Public Hearing - Rezoning Area Northeast of Falcon's Cove in Eagle Pointe Subdivision from "R- LD" Low Density to "R-1" Suburban Single Family (Approx. 18 acres).

The public hearing was declared open by the Mayor.

Ryan Barz, Point of Beginning, is available for any questions.

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

15. Resolution on the above.

Ald. Moore moved, Ald. Trzebiatowski seconded, approval of rezoning of Falcon's Cove in Eagle Pointe Subdivision from "R-LD" Low Density to "R-1" Suburban Single Family.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Walther, Myers.
Nays: None. Motion carried.

16. Resolution - Accepting 1.1 Acres of Land along North Wilshire Drive.

Ald. Molski moved, Ald. Slowinski seconded, approval of the resolution accepting 1.1 acres of land along North Wilshire Drive.

Roll Call: Ayes: Ald. Myers, Walther, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.
Nays: None. Motion carried.

17. Resolution - Accepting Final Plat known as the First Addition to Eagle Pointe Subdivision.

Ald. Moore moved, Ald. Slowinski seconded, to approve the resolution accepting Final Plat known as the First Addition to Eagle Pointe Subdivision.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Walther, Myers.
Nays: None. Motion carried.

18. Public Hearing - Conditional Use - Request of Jason Glisczynski, 1920 Adams St., Plover, to Operate a Tavern at 2124 Rice Street.

The public hearing was declared open by the Mayor.

Jason Glisczynski, 1920 Adams Street, said during the sound review, it was determined that 5' berms around the property would not be needed.

Reid Rocheleau, 408 Cedar Street W., feels this is a good time to align Rice Street and Whiting Avenue to create a better intersection.

Steve Chizzo, 2525 Prais Street, said this facility will be used by recreational leagues.

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

19. Resolution on the above.

Mayor Halverson noted the reason for the berming is not just for acoustics.

Ald. Stroik stated at the Public Protection Committee meeting, the request was modified to only allow alcohol sales in the bar area.

Jason Glisczynski, 1920 Adams Street, said he is aware of this.

Ald. Heart asked how far the berming will be developed on Rice Street.

Director Gardner said the berms will be placed from the second driveway from Church Street to Cleveland Avenue and north on Cleveland.

Ald. Molski moved, Ald. Trzebiatowski seconded, approval of the conditional use request of Jason Glisczynski, 1920 Adams St., Plover, to operate a tavern at 2124 Rice Street with the conditions as stated.

Ald. Moore feels this license should be reserved for a larger attraction to develop in the City. He said this establishment could get by with a beer and wine license.

Mayor Halverson is concerned how close this establishment is to homes and a school. He said one thing that makes him feel more comfortable is the fact that there is a sunset clause for this request.

Ald. Trzebiatowski noted there are taverns already in the City that are close to homes and schools.

Ald. Brooks is pleased with Mr. Glisczynski's professionalism throughout this process.

Ald. Stroik said the conditional use could be revoked if there are violations but it would not necessarily free up the liquor license.

Mayor Halverson said if the conditional use is pulled, Mr. Glisczynski would not have the authority to operate a tavern at that location.

Roll Call: Ayes: Ald. Myers, Walther, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks.
Nays: Ald. Moore.
Ayes - 9. Nays - 1. Motion carried.

20. Consideration of minutes and actions taken at the Special Plan Commission meeting of June 12, 2008.

Ald. Moore moved, Ald. Brooks seconded, to accept the minutes and approve the actions taken at the Special Plan Commission meeting of June 12, 2008.

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

21. Consideration of minutes and actions taken at the Board of Public Works meeting of June 9, 2008.

Mayor Halverson said item #2 needs to be pulled until further notice because the State has not approved the plan.

Ald. Stroik moved, Ald. Walther seconded, approval of the minutes and actions taken at the Board of Public Works meeting of June 9, 2008, with item #2 pulled until the City hears more from the State.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Walther, Myers.
Nays: None. Motion carried.

22. Public Hearing - Replacement of Clay Sanitary Sewer Laterals and/or Galvanized Water Services - Project #03-08 - All properties fronting both sides of Fourth Avenue from Second Street to 180 feet west of Lee Street.

The public hearing was declared open by the Mayor.

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

23. Final Resolution on the above.

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

Roll Call: Ayes: Ald. Myers, Walther, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.
Nays: None. Motion carried.

24. Consideration of minutes and actions taken at the Finance Committee meeting of June 9, 2008.

Comptroller/Treasurer Schlice noted there is one correction to the minutes on item #2. He said it should read for the Water Department, not Water Street.

Ald. Molski moved, Ald. Stroik seconded, approval of the minutes and actions of the Finance Committee meeting of June 9, 2008.

Ald. Heart asked if the funding for the Commuter Trail should be pulled.

Mayor Halverson said the funding should remain included. He said if the project would not develop than we would not spend the money.

Comptroller/Treasurer Schlice said the funds would not be released until the contract is approved.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Walther, Myers.
Nays: None. Motion carried.

25. Consideration of minutes and actions taken at the Personnel Committee meeting of June 9, 2008.

Leanne Krutza, 6373 State Hwy 54, stated they were not aware that they could be part of the closed session at the Personnel Committee meeting.

Tim Krutza, 6373 State Hwy 54, said his lawyer has asked that this matter not be discussed publicly to reserve their privacy rights. He is here to show his interest in resolving this matter.

Steve Louis, AFSCME Local 309, said Mr. Krutza has been a full-time employee for 21 years. He said the Union is asking the City to extend Mr. Krutza's unpaid leave until he is fully healed and the Union supports hiring a limited term employee for this circumstance.

Ald. Wiza moved, Ald. Slowinski seconded, approval of the minutes and actions taken at the Personnel Committee meeting of June 9, 2008, with item #6B pulled for further discussion.

Ald. Myers noted that he made the motion to name John Zinda as Interim Fire Chief at the Personnel Committee meeting.

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

Ald. Molski moved, Ald. Wiza seconded, to postpone item #6B to closed session at the next Personnel Committee meeting.

Ald. Wiza submitted a letter from Steve Louis to be included in next month's packet in regards to this matter.

Personnel Manager Jakusz clarified that Mr. and Mrs. Krutza were advised that it was their decision whether they wanted to attend the Personnel Committee meeting but the matter would be in closed session.

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

26. Ratification of 2007-2008 Tentative Labor Agreement with IAFF Local 484 (Firefighters).

Ald. Molski moved, Ald. Moore seconded, to ratify the 2007-2008 Tentative Labor Agreement with IAFF Local 484 (Firefighters).

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Walther, Myers.
Nays: None. Motion carried.

27. Consideration of minutes and actions taken at the Public Protection Committee meeting of June 9, 2008.

Ald. Stroik moved, Ald. Trzebiatowski seconded, to approve the minutes and actions taken at the Public Protection Committee meeting of June 9, 2008, with item #1Ei pulled for further discussion and amend the date of the event for the Boys and Girls Club to Saturday, June 28, 2008.

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

Ald. Stroik asked what type of alcohol beverages can be served with a Beer and Wine license.

City Attorney Molepske replied it would be limited to malt beverages, wine and wine coolers.

Ald. Brooks wanted to know how many new licenses have been issued in the last two years and if the City should be concerned that there are only two licenses available if this one is issued.

Mayor Halverson gave examples of establishments that would require a license if they developed in the City. He noted that hotels are excluded.

City Attorney Molepske said there is a long list of exclusions such as 300 or more seating restaurants, hotels and convention centers.

Mayor Halverson said there are some concerns but also benefits of a liquor license for this development.

Ald. Heart asked what is the criteria for denial.

City Attorney Molepske said the criteria would include the character of the operator, location of the premise and insufficient parking. He said criteria such as additional employment and tax revenue could be added as criteria for issuing a license.

Ald. Stroik asked how often they could extend their premise for special events.

City Attorney Molepske replied once per calendar year.

Ald. Stroik asked if a special license is needed for each special event regardless of what type of license is issued.

City Attorney Molepske said alcohol is prohibited in the volleyball and basketball area.

Ald. Stroik stated special events on occasion would not be possible.

City Attorney Molepske replied that is correct unless the Plan Commission and Council amend the conditions.

Ald. Molski stated at the Public Protection Committee meeting, it was said that special events could be held.

Mayor Halverson noted the City can place more restrictive conditions than the state statutes.

City Attorney Molepske agreed that more restrictive conditions can be established.

Mayor Halverson said there is a condition that would not allow for any alcohol to be sold or consumed in the area outside the tavern.

Ald. Trzebiatowski moved, Ald. Stroik seconded, to postpone action until next month based on the grounds that the owner was no longer present.

Ald. Heart said it was stated at the Public Protection Committee meeting that a temporary license for special events could be taken care of under the conditional use.

City Attorney Molepske said only one or two extension of premises is allowed per license or calendar year.

Ald. Heart is confused as far as what is allowed under the conditional use verses what was discussed at the Public Protection Committee meeting.

Mayor Halverson reviewed the Public Protection Committee minutes.

City Attorney Molepske said the City could consider permitting him to have so many events per year. He said this matter could be taken up next month.

Mayor Halverson asked if there are any construction issues or timelines that would prohibit Mr. Glisczynski from carrying out the project if this was postponed.

Director Gardner is sure the purchase of the property is contingent on issuing a liquor license.

Mayor Halverson said the conditions in place are warranted.

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

Ald. Moore moved, Ald. Myers seconded, to grant a Beer and Wine license.

Ald. Stroik asked if Mr. Glisczynski could appeal this decision if it does not fit his business.

Mayor Halverson stated it is clear that Mr. Glisczynski wants a full liquor license for the success of this establishment.

City Attorney Molepske said he could come back.

Ald. Walther is uncomfortable with denying the full liquor license just because the City might get a larger development.

Ald. Trzebiatowski is uncomfortable with the motion.

City Attorney Molepske noted the publication for this establishment was for a combination license.

Ald. Moore withdrew his motion and Ald. Myers concurred.

Ald. Molski moved, Ald. Brooks seconded, to approve the liquor license for Jason Glisczynski to operate a tavern at 2124 Rice Street.

Roll Call: Ayes - 9.

Nays - 1. Motion carried.

28. Ordinance Amendment - Licenses/Permits - Sec. 12.14(18) - On File Period for Temporary (Picnic) License applications.

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

Ald. Brooks asked if changes can be made during this waiting period.

City Attorney Molepske said it would still have to be on file the specified number of days.

Roll Call: Ayes: Ald. Myers, Walther, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.

Nays: None. Motion carried.

29. Consideration of minutes and actions taken at the Special Joint Finance Committee / Board of Public Works meeting of June 16, 2008.

Clerk Moe read the minutes of the Special Joint Finance Committee/Board of Public Works meeting of June 16, 2008.

Ald. Molski moved, Ald. Brooks seconded, approval of the minutes and actions taken at the Special Joint Finance Committee/Board of Public Works meeting of June 16, 2008.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Walther, Myers.

Nays: None. Motion carried.

30. Consideration of minutes and actions taken at the Board of Parks Commissioners meeting of June 4, 2008.

Reid Rocheleau, 408 Cedar Street W., said the Dog Park is a great project. He is concerned with the possibility of a salt shed being built on this land. Mr. Rocheleau stated this land is not currently taken care of.

Mayor Halverson agrees that a Dog Park is necessary although the motion does not authorize the construction of a Dog Park. He noted that the Water and Engineering Departments have reservations on the size of it as far as the expansion of the Water and Sewage Treatment Plant, Public Works garage and salt shed.

Ald. Wiza asked when the proposals for the buildings will be in place.

Mayor Halverson said it should be addressed in July.

Ald. Wiza asked that the Dog Park be a minimum of seven acres.

Mayor Halverson said there are some concerns with the amount of space needed for the Water and Public Works facilities.

Ald. Wiza asked what restrictions are there for this area since it is a capped landfill.

Mayor Halverson said it is not capped.

Director Euclide said it is an old City dump. He said it is covered by sand and soil. The Director stated a Parks or Public Works facility can be constructed here.

Ald. Moore moved, Ald. Brooks seconded, approval of minutes and actions taken at the Board of Parks Commissioners meeting of June 4, 2008.

Roll Call: Ayes all.

Nays none. Motion carried.

31. Resolution Opposing Stewardship Program Restrictions.

Ald. Moore moved, Ald. Brooks seconded, approval of the resolution opposing Stewardship Program Restrictions.

Roll Call: Ayes all.

Nays none. Motion carried.

32. Consideration of minutes and actions taken at the Board of Water & Sewage Commissioners meeting of June 9, 2008.

Director Halverson said she was unaware of certain conditions placed by the Public Service Commission for doing rate split increases. She requested the Council to pull and do not approve item #4 so she can take it back to the Board Water and Sewage Commissioners.

Ald. Slowinski moved, Ald. Myers seconded, approval of the minutes and actions taken at the Board of Water and Sewage Commissioners meeting of June 9, 2008, with item #4 sent back to Board of Water and Sewage Commissioners for reconsideration.

Roll Call: Ayes all.

Nays none. Motion carried.

33. Mayoral Appointment: The Portage County Public Transit-Human Services Transportation Coordinating Committee - Hans Walther, 2424 Ellis Street.

Ald. Molski moved, Ald. Trzebiatowski seconded, to approve the Mayoral Appointment of Hans Walther to the Portage County Public Transit-Human Services Transportation Coordinating Committee.

Ald. Trzebiatowski asked what the time frame will be for this appointment.

Mayor Halverson said this is a newly created title of an existing committee with a term not to exceed three years.

Roll Call: Ayes all.

Nays none. Motion carried.

34. Consideration of minutes and actions taken at the Police and Fire Commission meeting of June 10, 2008.

Ald. Stroik moved, Ald. Moore seconded, to approve the minutes and actions taken at the Police and Fire Commission meeting of June 10, 2008.

Roll Call: Ayes all.

Nays none. Motion carried.

35. Consideration of the statutory monthly financial reports of the Comptroller-Treasurer for April 2008.

Ald. Molski moved, Ald. Stroik seconded, to accept the statutory monthly financial report of the Comptroller-Treasurer for April 2008 and place it on file.

Roll Call: Ayes all.

Nays none. Motion carried.

36. Adjournment.

Adjournment at 10:32 p.m.

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