

Meeting Minutes

Regular City Council Meeting

March 20, 2006, 7:00 P.M.

City Council Chambers, County-City Building

Mayor Gary W. Wescott, presiding Roll Call: Present: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Barr, Trzebiatowski, Molski, Stroik, Barber, Moore

Also Present: City Attorney Molepske, City Clerk Moe, Comptroller/Treasurer Schlice, Directors Gardner, Schrader, Euclide, Halverson; Police Chief Morris, Fire Chief Barnes, Assessor Kuehn, Transit Manager Lemke, Kari Yenter, Gene Kemmeter (Portage County Gazette)

Index to these minutes:

2. Salute to the Flag and Mayor's opening remarks.
3. Approval of the minutes of the Regular Common Council meeting of February 20, 2006, and Special Joint Portage County Board of Supervisors and City of Stevens Point Council meeting of February 22, 2006.
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. Plan Commission meeting of March 6, 2006.
6. Public Hearing - Amending Zoning Ordinance which would classify property located on Heffron Street between Lampman Drive and Hoover Road (8.389 acres) as "R-1" Suburban Single Family Zoning.
7. Ordinance on the above.
8. Resolution - Final Plat for Heffron Woods Second Addition.
9. Public Hearing - Request to erect a radio tower at 300 Forest Street North as a conditional use.
10. Resolution on the above.
11. Ordinance - Annexation - Zakrzewski, Brilowski Road at County Highway HH.

12. Public Hearing - Request to construct two apartment buildings on one lot at 717 Vincent Court as a conditional use.
13. Resolution on the above.
14. Public Protection Committee meeting of March 13, 2006.
15. Personnel Committee meeting of March 13, 2006.
16. Board of Public Works meeting of March 13, 2006.
17. Finance Committee meeting of March 13, 2006.
18. Special Finance Committee meeting of March 20, 2006.
19. Board of Park Commissioners meeting of March 1, 2006.
20. Board of Water and Sewage Commissioners meeting of March 13, 2006.
21. Ordinance - amending Schedule of Sewage Service rates.
22. Reports: Police and Fire Commission meeting of March 15, 2006. Statutory monthly financial report of the Comptroller-Treasurer. Transportation Commission meeting of March 9, 2006.
23. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.
24. Adjournment.

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

Mayor Wescott reminded the citizens of the upcoming election on Tuesday, April 4, 2006.

Mayor Wescott stressed the cooperative efforts between the City of Stevens Point and Portage County working together on the Justice Center. The Mayor reported there are at least three major issues that need to be resolved before moving forward including the \$62 million cost for this project.

Mayor Wescott stated today the university U-pass contract for 2006-2007 was signed. The Mayor also reported that communication with the Village of Plover continues on the possibility of public transportation to Crossroads Commons.

3. Approval of the minutes of the Regular Common Council meeting of February 20, 2006, and Special Joint Portage County Board of Supervisors and City of Stevens Point Council meeting of February 22, 2006.

Ald. Barr moved, Ald. Stroik seconded, for approval of the regular Common Council minutes of February 20, 2006, and the Special Joint Portage County Board of Supervisors and City of Stevens Point Council minutes of February 22, 2006.

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.

Liz McDonald Item #19 - Board of Park Commissioners meeting of 03-01-06
1760 Strongs Avenue
Stevens Point, WI 54481

Scott Hyke Item #19 - Board of Park Commissioners meeting of 03-01-06
3806 Tulane Avenue
Madison, WI 53714

James Schraufnagel Item #19 - Board of Park Commissioners meeting of 03-01-06
2125 Oak Street
Stevens Point, WI 54481

C. J. Robinson Item #23 - Persons who wish to address Mayor and Council

1600 Fremont Street
Stevens Point, WI 54481

5. Plan Commission meeting of March 6, 2006.

Ald. Sevenich moved, Ald. Hanson seconded, for approval of the Plan Commission minutes of March 6, 2006.

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

6. Public Hearing - Amending Zoning Ordinance which would classify property located on Heffron Street between Lampman Drive and Hoover Road (8.389 acres) as "R-1" Suburban Single Family Zoning, was declared open by the Mayor.

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

7. Ordinance on the above.

Ald. Barr moved, Ald. Walther seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Trzebiatowski, Barr, Robinson, Wiza, Hanson, Walther, Sevenich.
Nays: None. Motion carried.

8. Resolution - Final Plat for Heffron Woods Second Addition.

Ald. Barr moved, Ald. Robinson seconded, for adoption of the resolution.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Barr, Trzebiatowski, Molski, Stroik, Barber, Moore.
Nays: None. Motion carried.

9. Public Hearing - Request to erect a radio tower at 300 Forest Street North as a conditional use, was declared open by the Mayor.

Cheryl Jakusz, 301 Forest Street North, stated her main concern is interference from the tower. Her garage door and television in her home are already receiving interference from the existing tower. Ms. Jakusz is concerned how much more interference another tower will produce.

Mayor Wescott said the issue of interference is a Federal Communication Commission matter.

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

Ald. Wiza would like to discuss the possible steps that could be taken to correct the interference concerns to assure the problems are corrected.

Rick Muzzy said there are a couple of ways to correct the problem. One solution is to install filters. Another solution that is in the process now is to move 97.9 off of the tower and move it to a different location.

10. Resolution on the above.

Ald. Wiza moved, Ald. Robinson seconded, for adoption of the resolution.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Trzebiatowski, Barr, Robinson, Wiza, Hanson, Walther, Sevenich.
Nays: None. Motion carried.

11. Ordinance - Annexation - Zakrzewski, Brilowski Road at County Highway HH.

Ald. Stroik moved, Ald. Barber seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Barr, Trzebiatowski, Molski, Stroik, Barber, Moore.
Nays: None. Motion carried.

12. Public Hearing - Request to construct two apartment buildings on one lot at 717 Vincent Court as a conditional use, was declared open by the Mayor.

Reid Rocheleau, 408 Cedar Street, opposes the development of the apartment buildings. Mr. Rocheleau feels there are already too many of the large complexes in the city. Adding additional housing severely hurts the present apartment owners. Mr. Rocheleau reviewed some possible problems with high density housing.

Mary Ann Laszewski, 1209 Wisconsin Street, is concerned with five bedrooms per unit that this stretches the interpretation of the housing ordinance. There are already problems with heavy on-street parking, late night activities, trespassing, litter and accidents in this area. Ms. Laszewski reviewed the conditional uses. The Growth Plan states to protect the integrity of existing housing and neighborhoods. The planners should include alderpersons and neighbors when planning the density for mixed use housing. She feels developers should focus on restoring the many properties near the campus.

Mary Ann Laszewski submitted a petition opposing the plan to build six apartment units at 727 Vincent Court and the petition was placed on record.

Jeff May, 21 Oakcrest Drive, is proposing to remove four aging units and replacing them with six new units. The development will only add two additional units. A 6' high fence will be constructed along the east property line. The units will be well lit and close to the university campus.

Mayor Wescott confirmed that Mr. May supports the Plan Commission's recommendation to install a fence.

Alan Repinski, 1608 Franklin Street, takes pride in his neighborhood and community. To see the neighborhood demolished and turned into apartment buildings is disheartening. Mr. Repinski's home will be surrounded by apartments with this development.

Dave Engebretson, Oshkosh, is impressed with the quality and lay out of Mr. May's apartments. Mr. May offers top notch services to his renters and in return he gets top notch renters.

Lois Meshak, 812 Division Street, stated the City needs to protect this historic neighborhood. Ms. Meshak feels the value of her property will decrease with this development. She is also concerned with loud noise, traffic, parking, snow removal and garbage.

Agnes Katzmark, 804 Division Street, said this area does not need any more traffic, noise and activity.

Jessica Blanchard, 709 Vincent Ct., feels comfortable and safe living in this neighborhood. She has never had any problems with noise from the neighbors. Ms. Blanchard is supportive of the project.

Dave Schleih, 1026 Smith Street, is against the proposed development. The current smaller homes fit the character of this neighborhood. The single family homeowners are made to feel that they are being surrounded by intense development as well as being pushed out of their homes.

Mildred Neville, 1409 Franklin Street, does not think the construction of the apartment buildings maintains the stability of the neighborhood. Ms. Neville has concerns with the parking, snow removal and placement of dumpsters. The high density of this development disturbs her. She does not feel the development of the apartment buildings meet the conditional use requirements.

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

13. Resolution on the above.

Ald. Sevenich submitted a letter from Linda Miller, 816 Prentice Street, opposing the proposed apartment complex on Vincent Court. The letter was placed on file.

Ald. Sevenich objects to the heavy vehicle and pedestrian traffic. There are only three owner occupied homes left in this neighborhood. The alderperson would like a common description of this issue.

City Attorney Molepske explained the established standards of the City's zoning ordinance. The Attorney reviewed multi-family zoning. He has not heard anything tonight that would impede the normal and orderly development and improvement of the surrounding property for the uses permitted in the district.

Ald. Robinson said this is a beautiful area of the city but there is a need to redevelop this area. This is an excellent proposal but there are still a lot of issues that need to be worked out.

Ald. Robinson moved, Ald. Wiza seconded, to refer the request to construct two buildings on one lot at 717 Vincent Court as a conditional use back to the Plan Commission for further review.

City Attorney Molepske does not know if this intersection is a problem. The Attorney does not know what nineteen additional persons in the neighborhood would do to the traffic concerns. He would like to hear testimony from the Engineer and the Police Department. He also does not know if the neighbors' property values will decrease with this development.

Ald. Robinson said he is disturbed by the negative discussion about university students. They are taking the blame for many of the negative issues.

Director Gardner said it is normal to have only one public hearing on a matter. The public hearing is being held tonight. If the request is referred back to the Plan Commission, there will most likely not be another public hearing next month at the Council meeting.

Mayor Wescott replied if the request goes back to the Plan Commission meeting in April, it will be the third opportunity for public input.

Ald. Moore is not comfortable with the compact parking lot.

Ald. Stroik asked if the resources are available tonight to answer the questions so the project would not be delayed for another month.

Mayor Wescott believes the answer has already been introduced. The police have conducted an analysis of the Division Street corridor and an ongoing traffic analysis continues throughout the entire corridor.

Ald. Molski would like to hear the opinions on the intersection from Chief Morris and Director Euclide.

Chief Morris said this is a high volume intersection. The Police Department along with the Engineering Department are in the process of conducting a manual study of this corridor. The Police Chief reviewed the number of traffic accidents along this corridor. He does not believe nineteen additional pedestrians will significantly alter the traffic pattern.

Director Euclide said they are continuing to study the corridor. The number of accidents along this corridor over the last 16 years are not that high. Installing traffic signals will not necessarily solve any problems.

Ald. Trzebiatowski does not believe any new evidence will be provided at the Plan Commission meeting in April so he would like to see this project move forward.

Ald. Barber asked who is responsible for cutting and trimming the trees along the property line.

City Attorney Molepske explained who is responsible and what can be done with the trees.

Ald. Barber is concerned with the placement of the new fence and an existing fence.

City Attorney Molepske replied Mr. May must comply with the conditions established at the Plan Commission meeting.

Director Gardner said the condition in the resolution states a 6' high fence must be constructed along the entire east property line including 1600 Franklin Street, 717 Vincent Court and 709 Vincent Court.

Ald. Barber feels students would be walking between Mr. Repinski's home and the new apartment building.

Ald. Wiza is not opposed to the development of the new apartment buildings but is still concerned with the tight fit of the buildings. Both Chief Morris and Director Euclide used the phrases, "currently under study," and "ongoing study," which means the study is not conclusive. The alderman would like the issues of snow removal, run off, parking, traffic, and location of recycling and dumpsters further reviewed.

Director Gardner stated the site is adjacent to the Moses Creek storm sewer so access to the storm/water pipe should be direct.

Roll Call: Ayes: Ald. Moore, Barr, Robinson, Wiza, Walther, Sevenich.

Nays: Ald. Barber, Stroik, Molski, Trzebiatowski, Hanson.

Ayes - 6. Nays - 5. Motion carried.

14. Public Protection Committee meeting of March 13, 2006.

Ald. Sevenich moved, Ald. Hanson seconded, for approval of the Public Protection Committee minutes of March 13, 2006.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Barr, Trzebiatowski, Molski, Stroik, Barber, Moore.

Nays: None. Motion carried.

15. Personnel Committee meeting of March 13, 2006.

Ald. Molski moved, Ald. Moore seconded, for approval of the Personnel Committee minutes of March 13, 2006.

Roll Call: Ayes all.

Nays none. Motion carried.

16. Board of Public Works meeting of March 13, 2006.

Ald. Walther moved, Ald. Moore seconded, for approval of the Board of Public Works minutes of March 13, 2006.

Roll Call: Ayes all.

Nays none. Motion carried.

17. Finance Committee meeting of March 13, 2006.

Ald. Barr moved, Ald. Molski seconded, for approval of the Finance Committee minutes of March 13, 2006.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Trzebiatowski, Barr, Robinson, Wiza, Hanson, Walther, Sevenich.

Nays: None. Motion carried.

18. Special Finance Committee meeting of March 20, 2006.

Clerk Moe read into the record the following motion made at the Special Finance Committee meeting of March 20, 2006, regarding the Church Street project. Ald. Stroik moved, seconded by Ald. Barr, that the city agrees in principle to financially participate in the project up to 25% of the increment value. Monies will be provided at the early stages on the project. The City Attorney will work to financially secure the city participation and to determine the timing of the use of city funds. City participation is based on demonstrated need that the project will not proceed without TIF assistance.

Authorize the Mayor, Comptroller and City Attorney to negotiate a development agreement and bring it back to the Finance Committee in April for review and approval and that the development agreement is contingent on the establishment of a TIF District 6 which the City will use its best efforts to create. Ayes all, nays none. Motion carried.

Ald. Barr moved, Ald. Moore seconded, for approval of the Special Finance Committee minutes of March 20, 2006.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Barr, Trzebiatowski, Molski, Stroik, Barber, Moore.

Nays: None. Motion carried.

19. Board of Park Commissioners meeting of March 1, 2006.

Ald. Wiza moved, Ald. Robinson seconded, for approval of the Park Commissioners minutes of March 1, 2006, with item #3 pulled for further discussion.

Roll Call: Ayes all.

Nays none. Motion carried.

Director Schrader contacted the Pro Tour event organizer and asked if they could run the event without closing the Bukolt Park boat launch. The event could be run without closing the boat launch if the event is held between the launch and the beach area or south of the boat launch area.

Liz McDonald, 1760 Strongs Avenue, said the main reasons for denying this request at the Board of Park Commissioners meeting was the noise generated from the event and the boat landing being closed to the public. Ms. McDonald noted that two park lodge are rented on the same day as this event so she is concerned with limited parking.

Scott Hyke, 3806 Tulane Avenue, was unaware the park lodges were rented on the day of the event. The races are open to the public and free of charge. The noise level of this event is comparable to the start of a walleye fishing tournament. The level of noise produced from a personal water craft is less than a john boat. Mr. Hyke is willing to withdraw the request to close the boat launch.

James Schraufnagel, 2125 Oak Street, is in support of this event as it would bring business and revenue to the city. Mr. Schraufnagel has attended these types of events in the past. This is a quality sport and would benefit the City of Stevens Point.

Mayor Wescott asked if a permit is required from the Department of Natural Resources to hold this event. The Mayor noted that Mr. Hyke has withdrawn his request for exclusive use of the dock and pier.

Mr. Hyke said a permit is required from the DNR as well as proof of insurance.

Ald. Trzebiatowski cannot see denying this request since we do not have control over the usage of the river.

City Attorney Molepske reviewed the process needed to be taken to pass legislation which would allow the city to control the river usage. There is not an ordinance prohibiting this type of event.

Ald. Moore said the event organizer has offered to remove the request to close the boat dock. They are allowed to use the park because it is open to the public.

City Attorney Molepske does not see any problems with holding the event.

Ald. Wiza talked to several of the residents and fishermen. No one had a problem with the noise or the event itself. Only one person had a concern with closing the boat landing. The alderman noted the boat landing is closed annually for the Copps Triathlon event.

Ald. Walther strongly encouraged the City to take advantage of this opportunity.

Ald. Molski opposes the closing of the boat landing. She suggested the event be held south of the boat landing.

Ald. Barber supports the event. He suggested the event be held at Mead Park.

Ald. Trzebiatowski moved, Ald. Wiza seconded, to approve the Pro Tour event and render the option for Pro Tour to exclusive use of the boat landing if they desire.

Ald. Wiza pointed out that one of the lodges in question is several hundred yards away and the other is located in an entirely different park.

Mayor Wescott said it is the ruling of the chair that because Ald. Trzebiatowski has reinstated the exclusive use of the dock, the motion is in order.

Ald. Robinson noted the river is an important resource in this community. He is still concerned with closing the boat landing.

Roll Call: Ayes: Ald. Sevenich, Walther, Wiza, Barr, Trzebiatowski, Stroik, Barber, Moore.

Nays: Ald. Hanson, Robinson, Molski.

Ayes - 8. Nays - 3. Motion carried.

20. Board of Water and Sewage Commissioners meeting of March 13, 2006.

Ald. Stroik moved, Ald. Wiza seconded, for approval of the Board of Water and Sewage Commissioners of March 13, 2006.

Roll Call: Ayes all.

Nays none. Motion carried.

21. Ordinance - amending Schedule of Sewage Service rates.

Ald. Molski moved, Ald. Hanson seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Trzebiatowski, Barr, Robinson, Wiza, Hanson, Walther, Sevenich.

Nays: None. Motion carried.

22. Reports:

Police and Fire Commission meeting of March 15, 2006.

Statutory monthly financial report of the Comptroller-Treasurer.

Transportation Commission meeting of March 9, 2006.

Ald. Walther moved, Ald. Moore seconded, to accept the reports and place them on file.

Roll Call: Ayes all.

Nays none. Motion carried.

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

C. J. Robinson announced the Boys and Girls Club of Portage County is hosting the 2nd Annual Wine and Cheese fund-raiser on Friday, March 31, 2006.

24. Adjournment - 9:00 P.M

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