

Meeting Minutes

Regular City Council Meeting

May 15, 2006, 7:00 P.M.

Council Chambers, County-City Building

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

Also Present: City Attorney Molepske, City Clerk Moe, Comptroller/Treasurer Schlice, Directors Gardner, Schrader, Halverson, Euclide; Police Chief Morris, Fire Chief Barnes, Transit Manager Lemke, Personnel Specialist Jakusz, 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 April 17, 2006 and Reorganization meeting of April 18, 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. Joint Review Board meeting of May 1, 2006.
6. Plan Commission meeting of May 1, 2006.
7. Resolution - proposed creation of Tax Incremental District No. 6 in the City of Stevens Point, Wisconsin and approval of Project Plan.
8. Public hearing - request of Clark Place, 1009 Clark Street, to expand the tavern serving area as a conditional use.
9. Resolution on the above.
10. Public hearing - request of Kristin's Middletown Food and Spirits, 2301 Church Street, to expand the tavern serving area as a conditional use.
11. Resolution on the above.
12. Public hearing - request of Point Bowl, 2525 Dixon Street, to expand the tavern serving area as a conditional use.
13. Resolution on the above.

14. Public hearing - amendment to zoning ordinance which would classify property at 4633 Heffron Street as "M 1" Light Industrial Zoning from "R-1" Suburban Single Family.
15. Ordinance on the above.
16. Public Protection Committee meeting of May 8, 2006.
17. Personnel Committee meeting of May 8, 2006.
18. Board of Public Works meeting of May 8, 2006.
19. Public hearing - replacement of clay sanitary sewer laterals and/or galvanized water services - College Avenue.
20. Final Resolution on the above.
21. Final Resolution - removal and relocation of fence from the right-of-way on Tamarac Street - Fick Limited Partnership.
22. Finance Committee meeting of May 8, 2006.
23. Special Finance Committee meeting of May 15, 2006.
24. Board of Park Commissioners meeting of May 3, 2006.
25. Board of Water and Sewage Commissioners meeting of May 8, 2006.
26. Reports: Police and Fire Commission meeting of May 9, 2006. Statutory monthly financial report of the Comptroller-Treasurer. Transportation Commission meeting of May 9, 2006.
27. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.
28. Adjournment.

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

Mayor Wescott stated the KASH playground proposal is very special for our community. The Mayor commended everyone for their commitment on this project.

Mayor Wescott noted over the years, the City of Stevens Point made it a priority to return Stevens Point as a place of prominence for tourism and conventions. Last year, Portage County saw \$125,000,000 in tourism and activity. We have seen almost a 50 percent increase in convention and visitor spending in this community.

3. Approval of the minutes of the Regular Common Council meeting of April 17, 2006 and Reorganization meeting of April 18, 2006.

Ald. Moore moved, Ald. Hanson seconded, for approval of the regular Common Council minutes of April 17, 2006 and Reorganization minutes of April 18, 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.

Doug Henderson Item #27 - Persons who wish to address Mayor and Council
4308 Heffron Street
Stevens Point, WI 54481

Gary Krause Item #22 - Finance Committee meeting of May 8, 2006
3421 Arbor Vitae Court
Plover, WI 54467

Frank Hunt Item #22 - Finance Committee meeting of May 8, 2006
3230 Orchid Lane
Stevens Point, WI 54481

Bruce Woboril Item #27 - Persons who wish to address Mayor and Council
710 Fourth Street
Plover, WI 54467

Dave Suchon Item #27 - Persons who wish to address Mayor and Council
825 Park Street
Stevens Point, WI 54481

Nancy Schultz Item #27 - Persons who wish to address Mayor and Council
925 Smith Street
Stevens Point, WI 54481

Kent Hall Item #27 - Persons who wish to address Mayor and Council
200 Pine Bluff Road
Stevens Point, WI 54481

Jack Porter Item #27 - Persons who wish to address Mayor and Council
625 Janick Circle West
Stevens Point, WI 54481

Reid Rocheleau Item #22 - Finance Committee meeting of May 8, 2006
408 Cedar Street Item #27 - Persons who wish to address Mayor and Council
Whiting, WI

Ald. C. J. Robinson Item #27 - Persons who wish to address Mayor and Council
1600 Fremont Street
Stevens Point, WI 54481

5. Joint Review Board meeting of May 1, 2006.

Ald. Stroik moved, Ald. Molski seconded, for approval of the Joint Review Board minutes of May 1, 2006.

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

6. Plan Commission meeting of May 1, 2006.

Ald. Moore moved, Ald. Trzebiatowski seconded, for approval of the Plan Commission minutes of May 1, 2006.

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

7. Resolution - proposed creation of Tax Incremental District No. 6 in the City of Stevens Point, Wisconsin and approval of Project Plan.

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

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

8. Public hearing - request of Clark Place, 1009 Clark Street, to expand the tavern serving area as a conditional use, was declared open by the Mayor.

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

9. Resolution on the above.

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

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

10. Public hearing - request of Kristin's Middletown Food and Spirits, 2301 Church Street, to expand the tavern serving area as a conditional use, was declared open by the Mayor.

Rhody Mallick, 1701 Madison Street, is available for any questions.

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

11. Resolution on the above.

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

Ald. Barber asked what effect will this have on the current smoking ordinance for this establishment.

City Attorney Molepske replied it should not have any.

Ald. Trzebiatowski asked if the deck will be a grade level patio instead of a raised deck.

Rhody Mallick replied that is correct.

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

12. Public hearing - request of Point Bowl, 2525 Dixon Street, to expand the tavern serving area as a conditional use, 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. Robinson moved, Ald. Slowinski seconded, to deny the resolution for the request of Point Bowl, 2525 Dixon Street, to expand the tavern serving area as a conditional use.

Ald. Sevenich noted this request was also denied at the Plan Commission meeting.

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

14. Public hearing - amendment to zoning ordinance which would classify property at 4633 Heffron Street as "M 1" Light Industrial Zoning from "R-1" Suburban Single Family, was declared open by the Mayor.

Jeff Borchardt, 3225 Olympia Avenue, said he has already invested \$15,000 in an 8' privacy fence so they would not have to look at the piles of wood, chips and dirt. There is excessive noise from vehicles driven on this property. The zoning is the only thing that will protect the property owners in this residential area.

Betty Kieliszewski, 5123 Ranchland Circle, stated part of one of her lots is adjacent to this property. Ms. Kieliszewski asked the Council to consider and help out the surrounding property owners when considering this request.

Ron Johnson, 3224 Olympia Avenue, feels the property should remain "R-1" Suburban Single Family zoning. His back property line abuts the northeast corner of the property in question. Mr. Johnson likes to spend quiet time in his backyard.

Kurt Bergman, 3248 Olympia Avenue, would like the property to remain single family zoning. Mr. Bergman is trying to protect his own investment.

Robin Engum, 3038 Campsite Road, said the reason he purchased his property was the development of single family homes. In the past, requests to development duplexes in this area have been denied.

Lance Stampfli, 4617 Heffron Street, is the owner of the property. Mr. Stampfli does not want to locate a business at this location. He just wants to build a storage building on this property.

Kyle Alexander, 3116 Lampman Drive, said the Stampflis have tried to maintain the attractiveness and appropriateness of the neighborhood. Mr. Alexander feels building a storage unit next to the power plant which is not a residential area would provide an appropriate use of this land.

Patty Bella, 3016 Lampman Drive, does not have a problem with the development of a storage unit next to the substation. The equipment stored at this location will still be there regardless of whether it is put in a storage building or left outside.

Tom Feltz, 3115 Feltz Avenue, said his father's request to develop duplexes in this area was denied. If duplexes are not appropriate for this area then it should remain all residential zoning.

Jody Ogle, 3101 Lampman Drive, supports the request to develop a storage unit.

Tammy Stampfli, 4617 Heffron Street, said they cannot build a house next to the substation on the property in question. What else can be developed on this land?

Stacy Bergman, 3248 Olympia Avenue, said she and her husband own their own company. They rent a building not in their residential neighborhood for their company.

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

15. Ordinance on the above.

Ald. Trzebiatowski moved, Ald. Molski seconded, to deny the ordinance amending the zoning which would classify property at 4633 Heffron Street as "M 1" Light Industrial Zoning from "R-1" Suburban Single Family.

Ald. Trzebiatowski recalls Mr. Stampfli was one of the people that came forward with testimony against the duplex development. The entire neighborhood wanted this area to maintain single family zoning.

Ald. Slowinski said the overall consensus is there is not a problem with the storage unit being built next to the substation but the general consensus is the zoning remain single family. The alderman would like to come to a compromise with the property owner to build a smaller shed.

Ald. Stroik asked if the property owner can store his equipment in a residential area. If the Council denies this request, he is still going to keep all of his equipment on this property.

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

16. Public Protection Committee meeting of May 8, 2006.

Ald. Sevenich moved, Ald. Trzebiatowski seconded, for approval of the corrected Public Protection Committee minutes of May 8, 2006, with the

exception upon the recommendation of the City Attorney and the Police Department, that the "Class B" Combination license application for Johnny T's Club Tropicana be pulled from the renewal license list and grant him a six month license upon him applying for a six month license in June, 2006 for a period from July 1, 2006 through December 31, 2006.

Ald. Sevenich stated another application will need to be filed at the end of November, 2006 for action in December for the license period of January 1, 2007 through June 30, 2007.

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

17. Personnel Committee meeting of May 8, 2006.

Ald. Wiza moved, Ald. Moore seconded, for approval of the Personnel Committee minutes of May 8, 2006.

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

18. Board of Public Works meeting of May 8, 2006.

Ald. Stroik moved, Ald. Walther seconded, for approval of the Board of Public Works minutes of May 8, 2006.

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

19. Public hearing - replacement of clay sanitary sewer laterals and/or galvanized water services - College Avenue, was declared open by the Mayor.

Robin Engum, 3038 Campsite Drive, owns property on College Avenue. Mr. Engum would like to know what work is being done for his estimated \$634. It does not appear the connection from his property to the city services is on College Avenue.

Mayor Wescott said the Engineering Department will contact Mr. Engum to answer his questions.

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

20. Final Resolution on the above.

Ald. Molski moved, Ald. Sevenich seconded, for adoption of the final resolution.

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

21. Final Resolution - removal and relocation of fence from the right-of-way on Tamarac Street - Fick Limited Partnership.

Ald. Wiza moved, Ald. Slowinski seconded, for adoption of the final resolution.

Ald. Sevenich asked what will happen to the fence once it is removed.

Mayor Wescott said the fence will be moved back onto the property.

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

22. Finance Committee meeting of May 8, 2006.

Reid Rocheleau voiced his concern on accepting the lowest bid for the City's official publications. Mr. Rocheleau raised the concern if the Portage County Gazette is really the most effective paper.

Reid Rocheleau raised the concern on the closed session held reference the sale of the southside city owned property. Mr. Rocheleau voiced his concerns on the sale of the city owned land. He questioned the timing of the meeting.

City Attorney Molepske stated the statute is very clear. The newspaper making the lowest effective bid for the city's legal notice shall be awarded the contract. The Portage County Gazette falls within the qualifications of a newspaper for a Class III city.

Ald. Molski moved, Ald. Robinson seconded, for approval of the Finance Committee minutes of May 8, 2006.

Ald. Barber noted any request for the sale of city owned property shall be directed to the Common Council and such request or proposal shall be referred to the Plan Commission for its recommendations prior to final action.

City Attorney Molepske said when the City purchases property it goes to the Plan Commission, Finance Committee and finally to the Common Council. It operates the same way when the City is selling property. All sales shall be referred to the Plan Commission, Finance Committee and Common Council. The sale of the southside property was already approved by the Plan Commission some time ago. The issue was brought before the Finance Committee as to which proposal or amount the City would want to receive for that property. It is now before the Council tonight for final action.

Mayor Wescott said the Plan Commission already reviewed and approved this land for sale in 2005. In February and April, 2005, appropriate action was taken by the Plan Commission and Finance Committee.

Ald. Robinson is concerned how quickly this process is moving, however, the alderman does feel this development will be welcomed into the

neighborhood. He suggested the developers enhance the green space and tie in the railroad theme.

Ald. Hanson said a financial institute in this location will offer an additional convenience to the neighborhood. The alderman also likes the fact that another store will locate here adding another retail business to the southside. The businesses that will be developed at this location will not be operating at late hours.

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

23. Special Finance Committee meeting of May 15, 2006.

Ald. Moore moved, Ald. Hanson seconded, for approval of the Special Finance Committee minutes of May 15, 2006.

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

24. Board of Park Commissioners meeting of May 3, 2006.

Ald. Robinson moved, Ald. Wiza seconded, for approval of the Board of Park Commissioners minutes of May 3, 2006.

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

25. Board of Water and Sewage Commissioners meeting of May 8, 2006.

Ald. Molski moved, Ald. Trzebiatowski seconded, for approval of the Board of Water and Sewage Commissioners minutes of May 8, 2006.

Mayor Wescott sent his heartfelt sympathy to the family of John Wandrey.

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

26. Reports:

Police and Fire Commission meeting of May 9, 2006.

Statutory monthly financial report of the Comptroller-Treasurer.

Transportation Commission meeting of May 9, 2006.

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

Ald. Walther noted the fixed route, adult, disabled, senior and youth ridership is up 6.2%.

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

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

Mayor Wescott reminded everyone that the smoking ordinance and truck routes are not formally in front of the Council this evening.

Doug Henderson, 4308 Heffron Street, reviewed a document that was sent out in March to establishments who were covered by the smoke-free ordinance. Can restaurants install walls or air handling systems to allow smoking in bar areas? The answer on the document stated no, this ordinance does not allow exceptions for these bar areas.

Reid Rocheleau, 408 Cedar Street, does not believe all the discussion during the closed session at the Finance Committee meeting on May 8, 2006 was eligible for closed session. The reason for open meetings is for public input.

Bruce Woboril, 710 Fourth Street, is here to discuss the deleted language on taverns in section .07(4)(i) of the smoking ordinance. There was no discussion for this substantial amendment. Mr. Woboril claimed the task force chosen by Mayor Wescott did not agree to the ordinance which was passed on October 17, 2005.

Dave Suchon, 825 Park Street, submitted a petition pertaining to the truck route and it was placed on file. Mr. Suchon would like to know why the truck route was changed from Wisconsin Street to Park Street. He made a possible suggestion for an alternate truck route.

Nancy Schultz, 925 Smith Street, said the smoking ordinance has been in effect for 45 days. There is no need to revisit any provisions at this point.

Kent Hall, 200 Pine Bluff Road, stated several businesses are going smoke-free. This is the direction that Be Fair should follow.

Jack Porter, 625 Janick Circle West, said the Council approved the compromised smoking ordinance that was presented to them that was designed and approved by the Mayor's smoking committee. It was approved with the understanding that those businesses effected by it would give it a fair trial before any changes would be made. Everyone must attempt to make the ordinance work. Mr. Porter reviewed the policy for signage. The placement of walls in these establishments is not mentioned in the ordinance.

Ald. Robinson announced he will be holding an annual neighborhood open forum on Monday, May 22, 2006, from 5:30 p.m. to 6:30 p.m. at the Portage County Library.

28. Adjournment - 8:20 P.M.

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