

Meeting Minutes

Regular City Council Meeting

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

Council Chambers, County-City Building

Mayor Gary W. Wescott, presiding

Roll Call: 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, Euclide, Halverson; Police Chief Morris, Deputy Chief Zinda, Personnel Specialist Jakusz, Kari Yenter, Gene Kemmeter (Portage County Gazette), Patrick Thornton (Journal)

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2. Salute to the Flag and Mayor's opening remarks.
3. Approval of the minutes of the Regular Common Council meeting of October 16, 2006 and Special Common Council meeting of November 20, 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 November 6, 2006.
6. Public hearing - request to construct a Rest Home/Nursing Home at 3349 Whiting Avenue as a conditional use.
7. Resolution on the above.
8. Resolution naming street in Schmeeckle Trails.
9. Ordinance amending Schmeeckle Trails II Annexation Ordinance dated September 18, 2006.
10. Public hearing - request to erect a Telecommunications Tower at 3701 Patch Street as a conditional use.
11. Resolution on the above.
12. Extraterritorial Plat - Hwy. 66 north and east of Meadow View Lane.
13. Accept right-of-way and utility easement - CTH. HH and Brilowski Road area.
14. Resolution - construct accessory building at 2148 West River Drive.
  
15. Ordinance - Annexation - Hoppa, 5311 Old Highway 18.
16. Public Protection Committee meeting of November 13, 2006.
17. Personnel Committee meeting of November 13, 2006.
18. Special Personnel Committee meeting of November 20, 2006.
19. Ratification of the 2005-2006 Tentative Labor Agreement with AFSCME Local 309 (Streets/Parks Union).
20. Board of Public Works meeting of November 13, 2006.
21. Finance Committee meeting of November 13, 2006.
22. Resolution designating Public Depository.
23. Board of Water and Sewage Commissioners meeting of November 13, 2006.
24. Joint Police and Fire Commission/Finance Committee meeting of October 30, 2006.
25. Reports: Police and Fire Commission meeting of November 14, 2006. Statutory monthly financial report of the Comptroller-Treasurer.
26. Resolution - Mutual Aid Box Alarm System.
27. Mayor's appointment: Long Range Room Tax Committee.
28. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.
29. Adjournment.

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

In a few months, Mayor Wescott will have served as Mayor for 12 years. During his tenure, the City had 12 consecutive balanced budgets, stable tax rates, fiscal and capital planning and growth in the City's assessed values. The City was able to revitalize the downtown, create TIF Districts, add park space and the Green Circle Trail, enhance programs and housing, and improve emergency services. Mayor Wescott announced he will not seek a fourth term as the Mayor of Stevens Point.

3. Approval of the minutes of the Regular Common Council meeting of October 16, 2006 and Special Common Council meeting of November 20, 2006.

Ald. Moore moved, Ald. Slowinski seconded, for approval of the regular Common Council minutes of October 16, 2006 and the Special Common Council minutes of November 20, 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.

Bonnie Yokers Item #15 - Ordinance-Hoppa Annexation, 5311 Old Highway 18  
1421 Pine Oaks Ct.  
Stevens Point, WI 54481

Reid Rocheleau Item #15 - Ordinance-Hoppa Annexation, 5311 Old Highway 18  
408 Cedar Street Item #17 - Personnel Committee meeting of November 13, 2006  
Whiting, WI Item #28 - Persons who wish to address Mayor and Council

Mary Ann Laszewski Item #15 - Ordinance-Hoppa Annexation, 5311 Old Highway 18  
1209 Wisconsin Street Item #17 - Personnel Committee meeting of November 13, 2006  
Stevens Point, WI 54481

Lance Stampfli Item #14 - Resolution to construct accessory building at 2148  
4617 Heffron Street West River Drive  
Stevens Point, WI 54481

Harry Hoppa Item #15 - Ordinance-Hoppa Annexation, 5311 Old Highway 18  
5311 Old Highway 18  
Stevens Point, WI 54481

5. Plan Commission meeting of November 6, 2006.

Ald. Moore moved, Ald. Sevenich seconded, for approval of the Plan Commission minutes of November 6, 2006.

Ald. Sevenich noted that Reid Rocheleau was present at the Plan Commission meeting.

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

6. Public hearing - request to construct a Rest Home/Nursing Home at 3349 Whiting Avenue as a conditional use, declared open by the Mayor.

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

7. Resolution on the above.

Ald. Stroik moved, Ald. Molski seconded, for approval of the resolution to construct a Rest Home/Nursing Home at 3349 Whiting Avenue as a conditional use.

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

8. Resolution naming streets in Schmeeckle Trails.

Ald. Moore moved, Ald. Hanson seconded, for approval of the resolution naming streets in Schmeeckle Trails.

Ald. Wiza questioned why the horseshoe shaped street will have two different names.

Director Gardner stated this is the preferred way of naming the street. If the street has only one name, there will be duplication of addresses.

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

9. Ordinance amending Schmeeckle Trails II Annexation Ordinance dated September 18, 2006.

Ald. Molski moved, Ald. Moore seconded, for approval of the ordinance amending Schmeeckle Trails II Annexation Ordinance dated September 18, 2006.

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

10. Public hearing - request to erect a Telecommunications Tower at 3701 Patch Street as a conditional use, was declared open by the Mayor.

Dick Rogers, Whitefish Bay, said the site plan was changed to include a lit American flag on the tower. He is available for any questions.

B. J. Welling, 247 Edgewood Road, Custer, is the property owner and is in favor of the cell tower. He spoke with and received approval from the adjoining property owners.

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

11. Resolution on the above.

Ald. Slowinski moved, Ald. Trzebiatowski seconded, for approval of the resolution to erect a Telecommunications Tower at 3701 Patch Street as a conditional use.

Ald. Wiza asked if all the residents in the area were notified.

Director Gardner replied the adjacent neighbors were notified.

Ald. Trzebiatowski asked if there is a stipulation on the size of the flag.

Director Gardner said the flag is similar in size to the one at the North Point Shopping Center.

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

12. Extraterritorial Plat - Hwy. 66 north and east of Meadow View Lane.

Ald. Wiza moved, Ald. Moore seconded, for approval of the Extraterritorial Plat - Hwy. 66 north and east of Meadow View Lane.

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

13. Accept right-of-way and utility easement - CTH. HH and Brilowski Road area.

Ald. Molski moved, Ald. Trzebiatowski seconded, to accept the right-of-way and utility easement - CTH. HH and Brilowski Road.

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

14. Resolution - construct accessory building at 2148 West River Drive.

Ald. Stroik moved, Ald. Hanson seconded, for approval of the resolution to construct an accessory building at 2148 West River Drive.

Lance Stampfli, 4617 Heffron Street, feels each request should be treated equally and fairly.

Ald. Stroik said this is a different situation. This is in a low density zoning area on five plus acres. The alderman would like to know if the land owners resolved the boundary line issues.

Director Gardner said the land owners have agreed to share the cost to have the property surveyed.

Mayor Wescott stated no permit will be issued until the boundary lines are resolved.

Ald. Wiza asked if a condition should be set that an acceptable land agreement be reached between the neighbor and property owner.

Director Gardner said this will be treated like any other request for a building permit. A permit is not issued until the standards are met.

Ald. Wiza is concerned that the boundary line issue will be disputed.

Director Gardner said an additional condition can be added. If there is an ongoing contested question about where the property line is, it would have to be resolved through the proper process before a permit is issued.

Mayor Wescott stated a permit would not be issued until the dispute is litigated through the court.

Ald. Wiza asked how long the City would wait for the adjacent property owner to contest it.

Director Gardner feels it will move along quickly.

Mayor Wescott asked if the survey is completed and it is not mutually agreeable to both parties, what is the recourse?

City Attorney Molepske explained the options available to the property owners. He also explained the process of adverse possession.

The property line issue was discussed further.

Ald. Wiza moved, Ald. Robinson seconded, to amend the resolution to add: 4) a permit to build will not be issued until both sides reach a mutual or court ordered agreement on the property line and the stipulation be in writing.

Vote on the amended motion:

Roll Call: Ayes all.

Nays none. Motion carried.

Vote on the main motion:

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

Nays: Ald. Slowinski.

Ayes - 10. Nays - 1. Motion carried.

15. Ordinance - Annexation - Hoppa, 5311 Old Highway 18.

Mayor Wescott noted only the annexation petition is in front of the Council this evening. No action will be taken on the zoning for this property.

Bonnie Yokers, 1421 Pine Oaks Ct., does not have a problem with Mr. Hoppa annexing to the city. Ms. Yoker's concern is that once the property is annexed to the city, the zoning will be changed to commercial.

Mayor Wescott clarified that Ms. Yokers does not object to the annexation and supports the residential zoning that has been assigned to the property.

Reid Rocheleau, 408 Cedar Street, does not oppose the annexation. Mr. Rocheleau voiced his concerns on the zoning and the possible use for this property. He suggested returning the request back to the Plan Commission.

Mary Ann Laszewski, 1209 Wisconsin Street, cannot support any discussion of an annexation until the true motive for the request is revealed. Ms. Laszewski voiced her concerns on public debate and zoning for this annexation.

Harry Hoppa, 5311 Old Highway 18, is requesting to annex this property because he is in need of sewer and water services.

Mayor Wescott said the City has a good working relationship with the Town of Hull. The Town of Hull Chairman is supportive of the annexation with the residential zoning temporarily assigned to it.

Ald. Wiza asked if there is a reason why Mr. Hoppa needs the city's utilities. Did the Department of Natural Resources deny replacing the septic system?

Mayor Wescott added that the State of Wisconsin reviewed the annexation petition and issued a favorable ruling. The annexation petition must be acted on one way or the other within 120 days.

Mr. Hoppa said the septic is in need of repair and the drain field does not work.

Director Gardner added property owners have more trust in public utilities. In this case, the utilities are already there so it is just a matter of extending them.

Ald. Trzebiatowski moved, Ald. Walther seconded, for approval of the ordinance - Annexation-Hoppa, 5311 Old Highway 18.

Ald. Wiza questions the future zoning for this property.

Mayor Wescott responded the law requires on the annexation ordinance that zoning be temporarily assigned to it. The Mayor explained the process for annexation and zoning.

Ald. Sevenich asked if anyone is living there now. Is the well in working condition?

Director Gardner replied, yes. He is unsure if the well is working.

Mr. Hoppa said the well is working but the septic is bad.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Slowinski, Trzebiatowski, Molski, Barber, Moore.

Nays: Ald. Wiza, Robinson, Stroik.

Ayes - 8. Nays - 3. Motion carried.

16. Public Protection Committee meeting of November 13, 2006.

Ald. Slowinski moved, Ald. Barber seconded, for approval of the Public Protection Committee minutes of November 13, 2006.

Ald. Sevenich reiterated that property owners need to shovel their sidewalks so they do not receive a violation.

Roll Call: Ayes all.

Nays none. Motion carried.

17. Personnel Committee meeting of November 13, 2006.

Ald. Moore moved, Ald. Trzebiatowski seconded, for approval of the Personnel Committee minutes of November 13, 2006, with item #3 pulled for further discussion.

Reid Rocheleau, 408 Cedar Street, said the non-represented employees do not have to receive a 3% increase to their wages. Mr. Rocheleau commended Ald. Wiza for putting the pay increase of \$600 for alderpersons on hold. He compared the amount of meetings attended and the amount of pay received with surrounding communities.

Roll Call: Ayes all.

Nays none. Motion carried.

Mary Ann Laszewski, 1209 Wisconsin Street, feels implementing some administrative and meeting changes will give the alderpersons more time and better facilities to do their job. Ms. Laszewski is concerned that the alderpersons receive their meeting materials on the Friday before the meeting. The Council meeting should be held on the fourth Monday of each month to allow more time. The Plan Commission should also be held later in the evening. She believes additional duties and time may justify a pay increase.

Ald. Moore moved, Ald. Barber seconded, for approval of the salary increase of \$600 to take effect in the spring of 2008.

Ald. Moore noted the pay for alderperson was frozen for a couple of years. The alderpersons do not receive any other benefits. The window to increase the wage ends February 20, 2007.

Mayor Wescott said the pay for alderpersons was frozen in 2005 and 2007.

Ald. Wiza said he does not do the job for the money. The alderpersons perform their jobs because they care about their neighborhoods and community. He opposes the increase in pay for aldermen. We need to do our part to control costs for the City.

Ald. Robinson stated the employees are receiving less than the inflation rate and paying more for their benefits. The alderman is proud to serve his community. He opposes the increase for alderpersons' salaries.

Ald. Walther said we have a responsibility to the city taxpayers. The alderman is opposed to any increase in salary.

Ald. Trzebiatowski is supportive of approving the increase in salary for the alderpersons. There are extra costs and duties that the alderpersons are responsible for.

Roll Call: Ayes: Ald. Moore, Barber, Molski, Trzebiatowski, Hanson.

Nays: Ald. Stroik, Slowinski, Robinson, Wiza, Walther, Sevenich.

Ayes - 5. Nays - 6. Motion defeated.

Ald. Robinson moved, Ald. Wiza seconded, to affirm the action taken at the Personnel Committee meeting on November 13, 2006.

Roll Call: Ayes all.

Nays none. Motion carried.

18. Special Personnel Committee meeting of November 20, 2006.

Clerk Moe read the minutes of the Special Personnel Committee meeting.

Ald. Moore moved, Ald. Robinson seconded, for approval of the Special Personnel Committee minutes of November 20, 2006.

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

19. Ratification of the 2005-2006 Tentative Labor Agreement with AFSCME Local 309 (Streets/Parks Union).

Ald. Molski moved, Ald. Moore seconded, to ratify the 2005-2006 Labor Agreement with AFSCME Local 309 (Streets/Parks Union).

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

20. Board of Public Works meeting of November 13, 2006.

Ald. Walter moved, Ald. Sevenich seconded, for approval of the Board of Public Works minutes of November 13, 2006.

Ald. Trzebiatowski noted his name was misspelled in the minutes.

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

21. Finance Committee meeting of November 13, 2006.

Ald. Molski moved, Ald. Hanson seconded, for approval of the Finance Committee minutes of November 13, 2006.

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

22. Resolution designating Public Depository.

Ald. Stroik moved, Ald. Slowinski seconded, for approval of the resolution designating Public Depository.

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

23. Board of Water and Sewage Commissioners meeting of November 13, 2006.

Ald. Wiza moved, Ald. Robinson seconded, for approval of the Board of Water and Sewage Commissioners minutes of November 13, 2006.

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

24. Joint Police and Fire Commission/Finance Committee meeting of October 30, 2006.

Ald. Stroik moved, Ald. Trzebiatowski seconded, for approval of the Joint Police and Fire Commission/Finance Committee minutes of October 30, 2006.

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

25. Police and Fire Commission meeting of November 14, 2006; Statutory monthly financial report of the Comptroller-Treasurer.

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

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

26. Resolution - Mutual Aid Box Alarm System.

Ald. Trzebiatowski moved, Ald. Stroik seconded, for approval of the resolution - Mutual Aid Box Alarm System.

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

27. Mayor's appointment: Long Range Room Tax Committee.

Ald. Sevenich moved, Ald. Wiza seconded, for confirmation of the Mayor's appointment.

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

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

Reid Rocheleau, 408 Cedar Street, commended the six alderpersons for opposing the increase of their salaries. He suggested paying the Plan Commission citizen members. Mr. Rocheleau questioned why the letter from the Town of Hull Chairman was not included with the Council packet. The alderpersons should not receive materials that are not available to the public.

Mayor Wescott said the letter from Mr. Holdridge, Town of Hull Chairman, was sent through the mail directly to the alderpersons' homes on Saturday.

29. Adjournment - 8:50 P.M.

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