

Meeting Minutes

Regular City Council Meeting

March 21, 2005, 7:00P.M.

Council Chambers, County-City Building

Mayor Gary W. Wescott, presiding Roll Call: Present: Ald. Sevenich, Walther, Markham, Wiza, Sowieja, Barr, Rackow, Molski, Stroik, Barber, Moore

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

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 21, 2005.
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 - Comprehensive Planning meeting of February 28, 2005.
6. Plan Commission meeting of March 7, 2005.
7. Public Hearing - Amend section 23.02(3)(a)2.a. Permitted uses in "C" and "B-5" Districts excluding residential uses and section 23.02(3)(a)3.a. Conditional uses in "C" and "B-5" Districts.
8. Ordinance on the above.
9. Public Hearing - Amend section 23.02(1)(e)3.h. Conditional use for Bed and Breakfast Establishments.
10. Ordinance on the above.
11. Public Protection Committee meeting of March 14, 2005.

12. Ordinance - satellite receiving stations.
13. Board of Public Works meeting of March 14, 2005.
14. Public Hearing - vacating a portion of Tamarac Street.
15. Resolution on the above.
16. Ordinance amending Revised Municipal Code - Extending water service to Town of Hull Fire Dept.
17. Ordinance - Traffic: Parking lot behind 1016 Main Street.
18. Finance Committee meeting of March 14, 2005.
19. Consideration of claims: A. Smith. B. Rifleman.
20. Personnel Committee meeting of March 14, 2005.
21. Board of Park Commissioners meeting of March 2, 2005.
22. Board of Water and Sewage Commissioners meeting of March 14, 2005.
23. Reports: Police and Fire Commission meeting of March 15, 2005.
Statutory monthly financial report of the Comptroller-Treasurer.
Transportation Commission meeting of March 1, 2005.
24. Persons who wish to address the mayor and council for up to three (3) minutes on a non-agenda item.
25. Adjournment.
 2. Salute to the flag and Mayor's opening remarks.

Mayor Wescott said the upcoming election is a very important election including many referenda issues. Information on all the referenda are available on the city's web site StevensPoint.com.

Mayor Wescott said the multi-million dollar renovation project at the Hi-Rise is well underway. A significant economic redevelopment initiative is rapidly coming together on the northside of Stevens Point. The Country Springs Hotel and Convention Center is one of the major anchors.

The Mayor reported the Stevens Point Fire Department is one of only seven fire departments in the entire state to receive federal and state funding for specialized training in collapsed rescue techniques. The Mayor also noted the survey work that has just been completed at the Stevens Point Police Department is a valuable tool to guide the management team in structuring future law enforcement for this community.

3. Approval of the minutes of the Regular Common Council meeting of February 21, 2005.

Ald. Barr moved, Ald. Stroik seconded, for approval of the regular Common Council minutes of February 21, 2005.

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.

Jessica White Item #24 - Persons who wish to address Mayor and Council
1024 Reserve Street
Stevens Point WI 54481

Scott Gulan Item #24 - Persons who wish to address Mayor and Council
GUU's on Main
Stevens Point WI 54481

Bruce Woboril Item #24 - Persons who wish to address Mayor and Council
Elbow Room Bar
Stevens Point WI 54481

Reid Rocheleau Item #24 - Persons who wish to address Mayor and Council
Village of Whiting

5. Plan Commission - Comprehensive Planning meeting of February 28, 2005.

Ald. Sowieja moved, Ald. Moore seconded, for approval of the Plan Commission - Comprehensive Planning minutes of February 28, 2005.

Roll Call: Ayes all.

Nays none. Motion carried.

6. Plan Commission meeting of March 7, 2005.

Ald. Sowieja moved, Ald. Markham seconded, for approval of the Plan Commission minutes of March 7, 2005.

Roll Call: Ayes all.

Nays none. Motion carried.

7. Public Hearing - Amend section 23.02(3)(a)2.a. Permitted uses in "C" and "B-5" Districts excluding residential uses and section 23.02(3)(a)3.a. Conditional uses in "C" and "B-5" Districts, was declared open by the Mayor.

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

8. Ordinance on the above.

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

Roll Call: Ayes: Ald. Sevenich, Walther, Markham, Wiza, Sowieja, Barr, Rackow, Molski, Stroik, Barber, Moore.

Nays: None. Motion carried.

9. Public Hearing - Amend section 23.02(1)(e)3.h. Conditional use for Bed and Breakfast Establishments, was declared open by the Mayor.

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

10. Ordinance on the above.

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

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Rackow, Barr, Sowieja, Wiza, Markham, Walther, Sevenich.

Nays: None. Motion carried.

11. Public Protection Committee meeting of March 14, 2005.

Ald. Rackow moved, Ald. Walther seconded, for approval of the Public Protection Committee minutes of March 14, 2005.

Roll Call: Ayes: Ald. Sevenich, Walther, Markham, Wiza, Sowieja, Barr, Rackow, Molski, Stroik, Barber, Moore.

Nays: None. Motion carried.

12. Ordinance - satellite receiving stations.

Ald. Rackow moved, Ald. Stroik seconded, for approval of the ordinance - satellite receiving stations.

Ald. Rackow said this amendment conforms our ordinance to the most recent FCC regulations.

Ald. Markham moved, Ald. Rackow seconded, to adopt the satellite receiving stations ordinance with the following amendment; remove the last paragraph "Satellite receiving stations greater than one (1) meter (39.37") in diameter used in residential districts shall be placed in the rear yard and not higher than fifteen (15) feet above the ground.

Director Gardner said if the last paragraph is removed from the ordinance that means in no case can a commercial user have the dish larger than one meter in size higher than fifteen feet above the ground.

Ald. Markham asked if the last paragraph of the ordinance is not removed, what would be the impact in residential districts for satellite dishes greater than one meter in diameter?

Director Gardner stated the last sentence of the proposed ordinance only applies to residential districts.

City Attorney Molepske believes the intent of the Public Protection Committee is not to allow in residential districts a large dish in the front yard, on the house, any place on the roof, or in the side yard. The only area the dish could be placed is in the back yard. A larger satellite receiving station in a commercial district can be placed anywhere.

Mayor Wescott asked if it is the intent to regulate both residential and commercial districts.

Ald. Markham replied, yes. A large number of satellite receiving stations would be distracting in certain commercial locations.

City Attorney Molepske said the city can adopt an ordinance providing it does not impose an unreasonable expense both for residential or commercial districts. The city can also place additional restrictions in a historic district.

Mayor Wescott is not convinced the City has the right to intervene in these federally regulated matters.

Ald. Rackow moved, Ald. Moore seconded, to refer the satellite receiving stations ordinance back to the Public Protection Committee for further review.

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

13. Board of Public Works meeting of March 14, 2005.

Ald. Stroik moved, Ald. Sevenich seconded, for approval of the Board of Public Works minutes of March 14, 2005.

Roll Call: Ayes: Ald. Sevenich, Walther, Markham, Wiza, Sowieja, Barr, Rackow, Molski, Stroik, Barber, Moore.
Nays: None. Motion carried.

14. Public Hearing - vacating a portion of Tamarac Street, was declared open by the Mayor.

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

15. Resolution on the above.

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

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Rackow, Barr, Sowieja, Wiza, Markham, Walther, Sevenich.
Nays: None. Motion carried.

16. Ordinance amending Revised Municipal Code - Extending water service to Town of Hull Fire Dept.

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

Roll Call: Ayes: Ald. Sevenich, Walther, Markham, Wiza, Sowieja, Barr, Rackow, Molski, Stroik, Barber, Moore.
Nays: None. Motion carried.

17. Ordinance - Traffic:
Parking lot behind 1016 Main Street.

Ald. Sevenich moved, Ald. Markham seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Rackow, Barr, Sowieja, Wiza, Markham, Walther, Sevenich.
Nays: None. Motion carried.

18. Finance Committee meeting of March 14, 2005.

Ald. Barr moved, Ald. Walther seconded, for approval of the Finance Committee minutes of March 14, 2005.

Roll Call: Ayes: Ald. Sevenich, Walther, Markham, Wiza, Sowieja, Barr, Rackow, Molski, Stroik, Barber, Moore.
Nays: None. Motion carried.

19. Consideration of claims:
A. Smith.
B. Rifleman.

Ald. Rackow moved, Ald. Molski seconded, to deny the claims for Craig Smith and Susan J. Rifleman.

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

20. Personnel Committee meeting of March 14, 2005.

Ald. Molski moved, Ald. Stroik seconded, for approval of the Personnel Committee minutes of March 14, 2005.

Roll Call: Ayes: Ald. Sevenich, Walther, Markham, Wiza, Sowieja, Barr, Rackow, Molski, Stroik, Barber, Moore.
Nays: None. Motion carried.

21. Board of Park Commissioners meeting of March 2, 2005.

Ald. Moore moved, Ald. Wiza seconded, for approval of the Board of Park Commissioners minutes of March 2, 2005.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Rackow, Barr, Sowieja, Wiza, Markham, Walther, Sevenich.
Nays: None. Motion carried.

22. Board of Water and Sewage Commissioners meeting of March 14, 2005.

Ald. Sowieja moved, Ald. Molski seconded, for approval of the Board of Water and Sewage Commissioners minutes of March 14, 2005.

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

23. Police and Fire Commission meeting of March 15, 2005.
Statutory monthly financial report of the Comptroller-Treasurer.
Transportation Commission meeting of March 1, 2005.

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

Ald. Walther noted the ridership for the UWSP U-pass is continuing to improve with great success.

Roll Call: Ayes all.

Nays none. Motion carried.

24. Persons who wish to address the mayor and council for up to three (3) minutes on a non-agenda item.

Jessica White, 1024 Reserve, would like to thank Mayor Wescott for proclaiming April 23, 2005 as a city wide day of community service. The Annual Hunger Cleanup is a national one day community service fundraiser in which each volunteer raises money while volunteering in programs for the hungry and homeless. Similar to a walk-a-thon, the Cleanup mobilizes thousands of volunteers across the country who gather hourly pledges from family and friends for their volunteer work. Locally, the goal is to involve 250 participants. The amount raised will be dispersed among several different agencies including Operation Bootstrap and the Salvation Army.

Scott Gulan, 1140 Main Street, feels the proposed smoking ban ordinance is too broad. The proposed ordinance is unfair with an economic impact on local businesses. Mr. Gulan urged the citizens to defeat the proposed ordinance so the elected officials of the City of Stevens Point can draft an ordinance that is more fair. This is not a health issue. This ordinance is a matter of a special interest group trying to take away rights and freedoms.

Bruce Woboril, 1321 Second Street, is a business and property owner in Stevens Point. Mr. Woboril echoed Mr. Gulan's sentiments.

Reid Rocheleau, Village of Whiting, voiced his concerns on the sale of city-owned land located along the Southside Business District.

Ald. Wiza commented on the vague wording and unreasonable costs associated with the proposed smoking ordinance. The alderperson hopes the citizens of Stevens Point will look at the proposed ordinance before making a decision.

Ald. Barr asked when an individual speaks for three minutes on this agenda item, should the Council be responding to these issues?

City Attorney Molepske said does not have a problem with it if the Chair allows a simple statement.

Mayor Wescott said the open meetings law is very clear and we honor that tradition.

25. Adjournment - 7:50 p.m.

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