

Meeting Minutes

Regular City Council Meeting

May 16, 2005, 7:00P.M.

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, 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 April 18, 2005, Reorganization meeting of April 19, 2005 and Special Common Council meeting of April 25, 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. Presentation by 2005 Poppy Princess Shelly Lila.
6. Plan Commission meeting of May 2, 2005.
7. Resolution - designating proposed boundaries and approving project plan for Tax Incremental District No. 5.
8. Public Hearing - construction of Utility Bridge over Wisconsin River at Wisconsin Street as a conditional use.
9. Resolution on the above.
10. Public Hearing - operate a Large Group Day Care at 3217 Center Street as a conditional use.
11. Resolution on the above.
12. Resolution - Community Development Block Grant Application.
13. Public Hearing - construct and operate a Bakery at 2217 Division Street as a conditional use.
14. Resolution on the above.
15. Public hearings: A. Request of Archie's Bar, 2317 Division Street, to operate a tavern as a conditional use. B. Request of Clark Place, 1009 Clark Street, to operate a tavern as a conditional use. C. Request of Partner's Pub, 2600 Stanley Street, to operate a tavern as a conditional use.
16. Resolutions on the above.
17. Resolution - acceptance of right-of-way - CTH. HH between I-39 and Brilowski Road.
18. Resolution naming street - Carrie Frost Drive.
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22. Public Protection Committee meeting of May 9, 2005.
23. Board of Public Works meeting of May 9, 2005.
24. Public Hearing - sanitary sewer, water main, appurtenant services and area assessment - Norway Pine Drive.
25. Final resolution on the above.
26. Finance Committee meeting of May 9, 2005.
27. Resolution - designating authorized depositories.
28. Special Finance Committee meeting of May 16, 2005.
29. Resolution - authorizing and providing for the sale and issuance of \$1,422,000 General Obligation Promissory Notes, Series 2005A, and all related details.
30. Board of Park Commissioners meeting of May 4, 2005.
31. Reports: Police and Fire Commission meeting of May 10, 2005.
Statutory monthly financial report of the Comptroller-Treasurer.
Transportation Commission meeting of May 10, 2005.
32. Persons who wish to address the mayor and council for up to three (3) minutes on a non-agenda item.
33. Adjournment.
 2. Salute to the flag and Mayor's opening remarks.

Mayor Wescott announced the week of May 15 is Police Week in recognition of the service given by the men and women of our police forces.

The Mayor stated the National Guard Unit stationed in Stevens Point has been issued activation orders.

3. Approval of the minutes of the Regular Common Council meeting of April 18, 2005, Reorganization meeting of April 19, 2005 and Special Common Council meeting of April 25, 2005.

Ald. Barr moved, Ald. Stroik seconded, for approval of the regular Common Council minutes of April 18, 2005, Reorganization minutes of April 19, 2005 and Special Common Council minutes of April 25, 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.

Drew Kaminski Item #22 - Public Protection Committee meeting of May 9, 2005
3109 Prais Street
Stevens Point, WI 54481

Reid Rocheleau Item #22 - Public Protection Committee meeting of May 9, 2005
Village of Whiting Item #26 - Finance Committee meeting of May 9, 2005

5. Presentation by 2005 Poppy Princess Shelly Lila.

Poppy Princess Shelly Lila recited it is tradition that the poppy is the memorial flower for the American soldiers. The poppy became a symbol of honoring the dead and assisting the living victims of the war. Ms. Lila recited a poppy poem honoring the veterans.

6. Plan Commission meeting of May 2, 2005.

Ald. Stroik moved, Ald. Moore seconded, for approval of the Plan Commission minutes of May 2, 2005.

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

7. Resolution - designating proposed boundaries and approving project plan for Tax Incremental District No. 5.

Comptroller/Treasurer Schlice distributed an updated plan for TIF District No. 5. There was one change made to the document from the copy that was distributed at the Plan Commission.

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

Ald. Sevenich said the TIF District will help the north side of Stevens Point which includes the 11th and 1st Districts.

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

8. Public Hearing - construction of Utility Bridge over Wisconsin River at Wisconsin Street 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. Molski 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.

10. Public Hearing - operate a Large Group Day Care at 3217 Center Street as a conditional use, was declared open by the Mayor.

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

11. Resolution on the above.

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

Ald. Wiza asked if there was any feedback received from the neighbors objecting to the day care.

Director Gardner said no objections were received.

Ald. Trzebiatowski canvassed the neighborhood and no one objected to the noise from the day care. There were some parking issues that have been worked out.

Ald. Sevenich noted this was a day care for a number of years.

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

12. Resolution - Community Development Block Grant Application.

Ald. Molski moved, Ald. Walther 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.

13. Public Hearing - construct and operate a Bakery at 2217 Division Street as a conditional use, was declared open by the Mayor.

Reid Rocheleau voiced his concerns about using the city-owned property for staging purposes. It was said that the property would not be needed but the contractors are using the property for staging. Mr. Rocheleau questioned if the dumpsters on the bakery property will be enclosed or just screened. Mr. Rocheleau is also concerned the parking on this site will be hazardous. A condition should be set that the setback from the sidewalk be further.

Ald. Barr said this development is a terrific improvement.

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

14. Resolution on the above.

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

Ald. Wiza asked if it will be a big issue if a condition is established for the setback.

Mayor Wescott said both the City Planner and Director of Public Works have testified at the Plan Commission that it is not going to be an issue.

Ald. Wiza moved, Ald. Stroik seconded, with the amendment that a condition be added that should a study in the future show evidence that any shrubbery or parking set forth in this plan inhibits visibility at any of the intersections adjacent to the property, the City has the right to go back and request they move back the parking and/or shrubbery.

Mayor Wescott feels the City already has this authority.

City Attorney Molepske stated the City of Stevens Point has an ordinance providing for the trimming of shrubs at intersections where they interfere with visibility.

Director Gardner said the angles at this intersection have been made more gentle. The Director of Public Works stated at the Plan Commission meeting that you would be able to see down the road clearly better. If the concern is the cars that will be parked in this lot, then a condition can be set to reserve the right to repurchase or exclude parking for one or two parking spaces.

Ald. Stroik asked how are the corners shaped and where will the stop signs be placed.

Director Euclide stated this project was designed to be a safe project. When designing the right-of-way and intersections, all of these things were taken into account so there is the ability to see a safe distance.

Ald. Robinson said the major concern of the residents was the safety of the intersection.

The following is the vote on the amendment to the resolution:

Roll Call: Ayes all.

Nays none. Motion carried.

Ald. Barber asked if there is room for two dumpsters.

Director Gardner said the designer indicated that he was not aware of the need for two dumpsters when the plan was drafted. He indicated that they can make room for two dumpsters.

Ald. Robinson said his constituents are supportive of this development.

The following is the vote on the adoption of the resolution:

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

Nays: None. Motion carried.

15. Public hearings:

A. Request of Archie's Bar, 2317 Division Street, to operate a tavern as a conditional use.

B. Request of Clark Place, 1009 Clark Street, to operate a tavern as a conditional use.

C. Request of Partner's Pub, 2600 Stanley Street, to operate a tavern as a conditional use, was declared open by the Mayor.

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

16. Resolutions on the above.

Ald. Wiza moved, Ald. Moore 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.

17. Resolution - acceptance of right-of-way - CTH. HH between I-39 and Brilowski Road.

Ald. Walther moved, Ald. Sevenich 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.

18. Resolution naming street - Carrie Frost Drive.

Ald. Wiza 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.

19. Resolution - acceptance of Green Circle Trail land donation - West Zinda Drive.

Ald. Stroik moved, Ald. Molski 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.

20. Joint Review Board meeting of May 2, 2005.

Ald. Molski moved, Ald. Trzebiatowski seconded, for approval of the Joint Review Board minutes of May 2, 2005.

Roll Call: Ayes all.

Nays none. Motion carried.

21. Resolution - creating, describing and making certain findings and approving project plan for Tax Incremental District No. 5.

Ald. Robinson moved, Ald. Moore 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.

22. Public Protection Committee meeting of May 9, 2005.

Ald. Stroik moved, Ald. Trzebiatowski seconded, for approval of the Public Protection Committee minutes of May 9, 2005, with item #5 pulled for further discussion.

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

Drew Kaminski read the attached statement and it was placed on record.

Reid Rocheleau looked at the property after concerns of junk in the yard were brought up at the Public Protection Committee meeting. Mr. Rocheleau said there was some junk in the yard. He is in favor of granting a conditional use permit.

Ald. Molski noted after the Public Protection Committee meeting, the side yard was cleaned up immediately. The alderperson talked to the neighbors and nobody could believe the City was even considering granting a conditional use permit to raise a miniature horse.

Ald. Molski moved, Ald. Hanson seconded, to deny the request to raise a miniature horse.

Ald. Wiza said this young gentleman has a lot of passion for this particular project. The alderman asked that Mr. Kaminski be given a chance to prove himself. Ald. Wiza proposed granting a three month conditional use permit to allow Mr. Kaminski to keep the horse in the city.

Ald. Barber asked who owns the home at 3109 Prais Street.

Ald. Molski replied Mr. Kaminski's mother owns the home.

Ald. Barber asked if the mother has a problem with keeping a horse on her property.

Drew Kaminski said his mother is more than happy to keep this horse on her property.

Mayor Wescott would like clarification if Ald. Molski had walked the neighborhood.

Ald. Molski said that is correct. The alderperson talked to several people living in the area.

Ald. Walther commended Mr. Kaminski for asking for a permit to raise the miniature horse, but the Council needs to respect the wishes of the alderperson of this district.

Ald. Wiza pointed out that the three people that Mr. Kaminski talked to were his immediate neighbors not just people in the district.

City Attorney Molepske reviewed the procedures stated in the city ordinance on raising farm animals in the city. There is certain criteria the requestor must comply with. If this request is approved, the initial permit is granted for six months and then annually after that.

Ald. Barr said when an issue is unique to a particular district, he favors with the alderperson of that district.

Roll Call: Ayes: Ald. Walther, Hanson, Robinson, Barr, Trzebiatowski, Molski, Barber, Moore.
Nays: Ald. Sevenich, Wiza, Stroik.
Ayes - 8. Nays - 3. Motion carried.

23. Board of Public Works meeting of May 9, 2005.

Ald. Barr moved, Ald. Trzebiatowski seconded, for approval of the Board of Public Works minutes of May 9, 2005.

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

24. Public Hearing - sanitary sewer, water main, appurtenant services and area assessment - Norway Pine Drive, was declared open by the Mayor.

Mike Wolbers, 4959 White Pine Drive, would like clarification on the assessment letter he had received. Mr. Wolbers wants to know if he is being forced to annex into the city.

Mayor Wescott said there will not be any forced annexations.

Director Gardner said annexations are governed by state law. Director Gardner reviewed the different possibilities for annexations.

Mr. Wolbers asked if half or more of the residents want to annex into the city, will that force him into annexing?

Director Gardner replied only if they chose to refine the boundary that way.

Mr. Wolbers asked if the assessment includes hook up to the house.

Director Gardner said the assessment does not include connection to your home.

Mr. Wolbers wanted to know if the assessments could be lowered because the city-owned property would benefit from this as well. The property values of the homes are around \$100,000 and the assessments are too high if annexed.

Mayor Wescott said that would be up to the Finance Committee.

Mr. Wolbers lives on the corner of White Pine Drive and Norway Pine Drive. Is there a double assessment if sewer pipes are placed down White Pine Drive at a later date?

Mayor Wescott said there are no plans to run sewer pipes on White Pine Drive. The Mayor informed Mr. Wolbers that a staff member from the Engineering Department will give him a call to clear up these issues.

Kim Delikowski, 5115 Norway Pine Drive, has an assessment of approximately \$13,000. Mrs. Delikowski would like this taken into consideration as far as what this does to someone's budget and the possibility of selling the home with such a large assessment.

Director Gardner stated there are no pending annexations. He has not received any requests for annexations for this area.

Leo Kuklinski, 4611 Norway Pine Drive, asked if the assessments are based on frontage. Mr. Kuklinski has a double lot in which the second lot is not buildable. He does not feel he should be assessed on the lot that is not buildable.

Director Euclide said the assessments are based on frontage on the side where the sewer and water pipes are located based on the actual cost of the sewer and water lines.

Mayor Wescott noted the assessments are only activated if the property is annexed into the city.

Mr. Wolbers asked if the property is sold in the future, does the assessment carry on to the next owner or would it have to be paid?

Mayor Wescott said it would be carried over to the next owner.

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

25. Final resolution on the above.

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

Ald. Barber asked if the resolution is approved, what does that do to the residents who still have questions?

Mayor Wescott said the residents will get their questions answered. The Mayor noted the resolution can be amended at a later date if necessary. The City does not profit from this project.

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

26. Finance Committee meeting of May 9, 2005.

Ald. Barr moved, Ald. Walther seconded, for approval of the Finance Committee minutes of May 9, 2005.

Reid Rocheleau raised the concern if the Portage County Gazette is the most effective paper. Mr. Rocheleau would like to know what the circulation is for both papers.

Mayor Wescott said the law only requires that the newspaper business be in business for a certain period of time and circulation in excess of 2,500. Once those two elements are satisfied under the law, it becomes who has the lowest bid.

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

27. Resolution - designating authorized depositories.

Ald. Stroik moved, Ald. Trzebiatowski 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.

28. Special Finance Committee meeting of May 16, 2005.

Ald. Barr moved, Ald. Molski seconded, for approval of the Special Finance Committee minutes of May 16, 2005.

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

29. Resolution - authorizing and providing for the sale and issuance of \$1,422,000 General Obligation Promissory Notes, Series 2005A, and all related details.

Ald. Stroik 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.

30. Board of Park Commissioners meeting of May 4, 2005.

Ald. Wiza moved, Ald. Moore seconded, for approval of the Board of Park Commissioners minutes of May 4, 2005.

Roll Call: Ayes all.

Nays none. Motion carried.

31. Reports:

Police and Fire Commission meeting of May 10, 2005.

Statutory monthly financial report of the Comptroller-Treasurer.

Transportation Commission meeting of May 10, 2005.

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

Ald. Walther pointed out there is now a signed agreement for the U-pass program for the 2005/2006 school year.

Roll Call: Ayes all.

Nays none. Motion carried.

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

None.

33. Adjournment - 8:20 P.M.

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