

Meeting Minutes

City Plan Commission

Monday, May 2, 2005 - 4:00 p.m. PRESENT: Chairman Mayor Wescott; Jerry Moore; Jeff Zabel; Fred Steffen; Lois Feldman; Ann Shannon (Excused, Karen Aldinger)

ALSO PRESENT: Comm. Dev. Dir. John Gardner; Ald. Barber & Stroik; Comptroller/Treasurer John Schlice; Public Works Dir. Joe Euclide; Water Dept. Dir. Kim Halverson; Kevin Spaay; J.D. Manville; Judy Daniel; Thomas Przekurat; Karen Karl; Jim Guzman; Scott Gralla; Chris Bergeron; Paul Krause; Ann Burant; Jami Gebert; Carl Knuese; Frances Knuese; Archie Hansen; Jeff Moffat; Kevin Kozelek; Robert Ananiadis; Alan Hetzer; Christy Poffinbarger; Mike Wimpe; Dave Davis, Stora Enso; Tim Laatsch, Stora Enso; Andy Gilbert, Stora Enso; Bill Bayba; Ed Buehler, Stora Enso; Reid Rocheleau; Carl Rasmussen; Dave Sowieja; Mike Phillips; Doug Omernik; Terry & Kitty Colligan; Erv Sommers; Mark Sommers; Chuck Piotrowski; Mary Ann Laszewski; Mike Harrigan, Ehlers & Assoc.; Dawn Gunderson, Ehlers & Assoc.; Gene Kemmeter, Po. Co. Gazette; Kelly McBride, Stevens Point Journal

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1. PUBLIC HEARING - CREATION OF TAX INCREMENT DISTRICT 5 - DIVISION STREET BETWEEN FOURTH AVENUE AND NORTH OF NORTH POINT DRIVE

Mayor Wescott asked Director Gardner to give a brief introduction to Tax Increment District Number 5.

John Gardner noted Tax Increment Districts are a way for communities to self-fund renovation projects. The City has had tax increment districts for the first industrial park off Patch Street, and for the downtown for commercial development. This district will be similar to the downtown tax district where we declared a certain area to be blighted. The City can do public works improvements and be involved with developers to try to create incentives to stimulate redevelopment along this corridor. The taxes that are collected now will continue to be shared with the other municipalities such as the school board, the county, the city, and the technical schools. New taxes collected above what we collect now will be kept by the city for projects that we will engage in to make improvements within the district. He reviewed the boundaries which involve a number of parcels with a total value of \$41 million. Three letters were sent to all property owners within the boundaries. The first letter indicated we were discussing a tax increment district. The second letter indicated we are serious about creating the district and that they should call with any questions. The third letter was the official public hearing notice to all owners and businesses. We have talked with a number of businesses that want to sell or expand and we are working as a clearing house to stimulate redevelopment.

The purpose of this hearing today is to take input from the public. We plan to work with developers to participate in their project financially and make the project happen when it otherwise would not have happened. Three proposed projects include redevelopment of Country Springs, North Point Shopping Center, and the Klasinski Clinic. In addition, we are proposing to retain consultants to re-build and re-landscape Division Street from Fourth Avenue to approximately North Point Drive. The new law allows the city to do public projects for 20 years from the time of creation. We will be looking for projects of opportunity so we can see more development happen along that stretch. A good example would be working with the property owner to stimulate development of the gas station at the corner of Maria/Division.

Mike Harrigan of Ehlers Inc. noted John did a good job of summarizing the overview and indicated he would be glad to answer questions as they come up.

Chairman Wescott declared the public hearing open.

J.D. Manville, 2017 West River Drive, stated he and Bill Bayba learned of the possible tax increment district and began dealing with out of town corporate landlords. In April, we consummated the purchase of the North Point Shopping Center. Achieving financing was extremely difficult because of the track record of the property being vacant and less than ideal visually. He provided a rendering of the proposed exterior and noted the current tenants are excited. We are negotiating with some national tenants that expressed interest. We are local owners and we intend to use local contractors and materials. The exterior improvements will be approximately \$570,000.

Scott Gralla, 4401 Heffron Street, requested a definition of the word "blighted".

Mike Harrigan stated the concept of "blight" or "in need of rehabilitation" is statutorily defined and can include property inadequately served by public utilities and infrastructure, property that is in diverse ownerships, or property whose economic life has become more limited because of lack of investment in the property. The city has inventory and identify that at least 50% of the property would meet some of these general standards.

John Gardner stated in some blighted cases, the land could be more valuable than the building, multiple ownerships can make it difficult to redevelop, and parking lots can be in poor condition. Persistent vacancies such as the former County Market, the gas station, and the former IGA next to K-Mart are also factors. Blight can also be determined by the size, age, and configuration of a building that makes it difficult to lease and re-use. We notified each property owner that was declared blighted and gave them the opportunity to talk with us. Because a property is determined to be blighted will have no effect on property value or tax assessment.

Carl Knuese, Campus Cycle, stated they have a family corporation that recently built the Cousins Sub building with our own funds. Whatever happened to using your own funds and resources to develop your property?

Mike Harrigan responded that if that type of development can occur without the assistance of tax incremental financing, it should. It has to be determined by the Joint Review Board and the City has to make a finding that the new development that you are trying to encourage to happen would not have otherwise happened without the participation and assistance of the tax increment program. Tax increment financing is a tool that is available in appropriate cases to help create a quality project that would not otherwise be possible based on the economics of that type of project. The City has to be comfortable that each project that is being proposed would not have otherwise been possible at the type and level that is being committed to without the use of tax incremental financing.

Chm. Wescott asked J.D. Manville if the major development he unveiled today could happen without tax increment financing?

J.D. Manville responded if the TIF money was not available, the building would continue to look just like it is. We would probably find tenants but it would be a third class strip mall.

Carl Knuese noted they are planning to use local contractors, but it is local contractors to get the big boys from out of town to come in and do business against us little guys.

Reid Rocheleau, 408 Cedar Street, expressed opposition to TIFs. They should use their own money. You take it out of the tax rolls for the schools with the thought that 20 years from now it will pay itself back. TIFs don't always work and you lose a lot of potential money.

Chm. Wescott requested the Comptroller-Treasurer address the successes of the two previous TIF districts that we are closing with holding the schools and school tax harmless.

John Schlice, Comptroller-Treasurer, stated in April, the City closed Tax Districts 1 and 3. They both recovered the entire amount that was expended in each particular district. There is approximately \$800-900,000 dollars that will be shared with all the taxing jurisdictions that was collected over and above the increment. We also had TIF District 2, Woodward Governor, that closed very quickly and recovered all the money. TIF districts in Stevens Point have been very successful.

Mike Harrigan stated there are two things that are important for taxpayers and tax jurisdictions to know about. 1) If you get development to occur that would not otherwise have occurred without the use of TIF, you are creating new tax base. When costs are covered, the district dissolves and any extra tax base goes to the city and schools. 2) There is already about \$40 million of tax base in this district. The taxes off that \$40 million, during the life of the TIF, continue to flow to the underlying taxing jurisdictions. 3) Schools are held harmless from TIF, during the life of the TIF. The formula operates as the more tax base you have, the more value your school district has and the less aid your school is going to get. During the life of a TIF, the school aid formula ignores the value of any additional value created in the TIF, so you are allowed to capture that school aid at a level that would be the same as if you did not have a TIF. When the district closes, the school aid will drop the actual amount you are able to pick up in the additional taxes off the new development. In that way, schools are held harmless from the impact of TIF both before and after the existence of a tax increment district.

Carl Rasmussen, representing UWSP, stated they are willing participants in the district. With regard to the southern boundary, they would like to see it extended to Franklin Street. The intersection is a 4-lane highway and is very busy for students and others trying to cross the street. They would like to see traffic signals and he understands this would be an opportunity to fund those signals and be part of the public works project.

Judy Daniels, 1600 Maria Dr., questioned how the district will affect residential areas, and what are the pros and cons, and how being blighted going to affect someone in that area.

John Gardner responded, the city in theory has the opportunity to acquire properties, demolish them and sell them to other people for larger development. The Common Council makes that decision. At this point, there are no plans to acquire your property or redevelop your property. The neighboring gas station would be of interest for staff to direct people in that direction for redevelopment.

Mike Harrigan stated if the community decides it wants to get involved in acquiring properties there are some very rigid rules that apply. The defined process includes mailing a notice, appraisals paid for by the City, arriving at a price, and relocation payments that would be necessary.

Hearing no further comments, Chairman Wescott declared the public hearing closed.

2. CREATION OF TAX INCREMENT DISTRICT 5 - DIVISION STREET AND ADOPTION OF PROJECT PLAN

Chm. Wescott noted the only thing left is to review why Fourth Avenue was selected as the southern boundary.

John Gardner stated we discussed going as far south as Portage St. or Main St., but some of the alternatives were not gelling and we decided upon Fourth Ave. We are allowed four amendments to the boundaries over the life of the district. We may include Franklin St. later if a project develops.

Fred Steffen noted regarding stop lights, can they included in the TIF project?

John Gardner responded they can be included as part of a public project.

Fred Steffen moved, seconded by Jeff Zabel, to recommend approval of creating Tax Increment District No. 5 for Division Street and authorizing the Mayor to sign the "Resolution Designating the Proposed Boundaries and Approving the Project Plan for Tax Incremental District No. 5" contained in the Plan Commission mailing.

Ayes all; Nays none; Motion carried.

3. APPROVAL OF THE MINUTES OF THE APRIL 4, 2005 MEETING

Ann Shannon moved, seconded by Fred Steffen, to recommend approval of the minutes of the April 4, 2005 meeting.

Ayes all; Nays none; Motion carried.

4. CONDITIONAL USE PERMIT - CONSTRUCTION OF UTILITY BRIDGE OVER WISCONSIN RIVER AT WISCONSIN STREET

Chm. Wescott stated the City and Stora Enso are proposing to build a utility bridge over the Wisconsin River. Last October, an inspection of the three pipelines on the Railroad bridge showed the City had 8-9 broken brackets and Stora Enso had 11-12 broken brackets which presents a very precarious situation. We have been keeping a close eye on it and because of the risks involved, the recommendation is to construct a new bridge to serve these pipelines.

John Gardner reviewed his attached memo and provided slides showing the proposed structure which would be a tube made up of tubes. The proposed bridge would be 3' above the 100 year flood plain elevation.

Tim Laatsch, Stora Enso, stated staff has covered the issue pretty well. The bridge was designed largely at the recommendation of the DNR. We propose to start construction by mid-July with completion before the snow flies.

Jerry Moore questioned how they will keep people off the bridge during construction.

Tim Laatsch responded they will totally secure the bridge at both ends. It will not be accessible in any fashion.

Jeff Zabel questioned what the rule of thumb is for the 10' (10 feet between the normal water mark and the bottom of the proposed bridge).

John Gardner responded the 10' is more for boat clearance.

Tim Laatsch noted the height difference was dictated by the DNR.

Ald. Barber noted he owns property on the Plover River and their flood plain has gotten to 17' twice. South of there is higher. He has no problem with the 10'. A lot of people fish there and the children will attempt to get on that bridge any way that they can.

Dave Sowieja, 2208 Wyatt Ave., was this a primary solution to the problem?

Joe Euclide responded one alternative was going over the dam with the pipeline but was very expensive. Another alternative was to go around and use the HH bridge, but that would have cost more also.

Tim Laatsch noted one other difficulty is to access pipes with something other than a barge.

Reid Rocheleau questioned who is going to pay for this bridge? How much will it cost?

Tim Laatsch responded financial arrangements have not been reached at this point. Stora Enso will be building the bridge and providing the opportunity for the city to hang their pipes on it. It is a shared operation and the specifics have to be determined.

Mike Phillips, 3225 Mary St., felt the hangers could be fastened to the existing bridge foundation, with mini-bridges in-between the pilasters. There is no vibration in the footings, otherwise they would be crumbling.

Joe Euclide stated in order to make it work, you would have to build a bridge under the bridge and shut down the railroad while you are doing it.

Kim Halverson noted the last time we worked with Stora Enso to fix the pipes, the railroad agreed to slow the trains down for a 24-hour period. They will not stop their trains.

Jeff Zabel moved, seconded by Chm. Wescott, to recommend approval of the request to construct a utility bridge over the Wisconsin River at Wisconsin Street conditioned upon DNR approval and no change to the floodplain upstream of the Stevens Point Dam or downstream from the CN RR Bridge and that the bridge elevation could be subject to change depending on the engineers findings.
Ayes all; Nays none; Motion carried.

5. CONDITIONAL USE PERMIT - LARGE FAMILY DAYCARE - 3217 CENTER ST.

John Gardner noted the request increases the occupancy from the current 22 children at Kiddie Kollege, to 28 children. The outdoor play area will be where part of the parking is now.

Christy Poffinbarger, petitioner, stated she prefers the term group child care instead of large family day care. The actual fenced in area is 32' x 51'.

Fred Steffen moved, seconded by Jerry Moore, to recommend approval of the conditional use request for a large family daycare at 3217 Center Street.

Ayes all; Nays none; Motion carried.

6. HOUSING GRANT APPLICATION - COMMUNITY DEVELOPMENT BLOCK GRANT

Chm. Wescott reviewed the attached memo and noted staff recommends the city submit an application for the maximum \$650,000.

Chairman Wescott moved, seconded by Lois Feldman, to recommend the City submit an application for a \$650,000 Community Development Block Grant for housing assistance.

Ayes all; Nays none; Motion carried.

7. SALE OF CITY-OWNED LAND - DIVISION STREET BETWEEN MADISON ST. AND DIXON ST.

Chm. Wescott noted we can discuss Items #7 & #8 together but have separate motions.

John Gardner reviewed his memo and the site plan and noted they have reversed the loading dock from the original site plan in the packets so that the truck cab would be adjacent to a metal building instead of a residence.

Terry Colligan, petitioner, stated there won't be any actual noise related to this proposal, just good smells. We currently have 18-20 full time employees with 5-7 part time employees.

We have one semi/week at 5:00 a.m. and the time can be changed if necessary if there is a problem. We prefer 5:00 a.m. because there is no one around. **The food service for the café may require another semi which would come about 10:00-11:00 a.m.**

Jim Guzman noted the southside is blighted like the north side (a reference to the TIF on the agenda) and we feel this development will be a big improvement.

Fred Steffen noted when Dave's True Value was there, they had at least one semi per week and it wouldn't have been any more noisy and did not come at 5:00 a.m.

Mike Phillips felt there should be screening for the roof units

Jim Guzman stated the roof slopes to the back and units are on the back of the building. We will work with Mr. Gardner if there is a problem.

Dave Sowiejka noted when he was still alderperson he heard very favorable comments from constituents.

Jami Gebert, Downtown Manager, questioned how large a lease space there would be?

John Gardner responded there would be approximately 1,000 s.f. and he is sure they intend to lease it to office or commercial uses.

Ald. Barber expressed concern with the number of dumpsters, employee parking, and drainage.

Terry Colligan responded they will screen the dumpsters. The majority of their employees work through the night and would be gone when they open up so parking would not be an issue for them.

Joe Euclide stated they have made provisions in the construction to tie their storm sewer into the city storm sewer system.

John Gardner noted the question arose if this storm sewer goes under the underpass. They are not the same system.

Mary Ann Laszewski questioned the site view down Church Street and snow removal.

Joe Euclide stated the buildings were removed because they hindered the site line. The new property line is further east from the previous lot line. The whole curve is smoother and you should have no problem with sight distance. It would be the same for traffic traveling north.

Reid Rocheleau objects to the sale because there is too much on a small piece of property. He felt conditions should be placed on the approval with regard to snow removal, enclosing the dumpsters, and the parking issues. Put the conditions up front.

Terry Colligan stated they will contract for snow removal, any dumpsters will be enclosed, and 75% of their employees work at night, we have 4-5 employees during the day..

Mary Ann Laszewski questioned the decibels of noise from the compressors on the roof.

Terry Colligan stated they will have new compressors which are very quiet but we would screen them from sight and noise if necessary.

Chm. Wescott moved, seconded by Jerry Moore, to recommend the sale of the land to Colligan;s as shown on the survey map.
Ayes all; Nays none; Motion carried.

8. CONDITIONAL USE PERMIT - BAKERY - 2217 DIVISION STREET - BETWEEN MADISON ST. AND DIXON ST.

Jerry Moore moved, seconded by Ann Shannon, to recommend approval of the conditional use request to construct a bakery at 2217 Division Street with the following conditions: 1) the site is initially developed as shown on the plans, 2) the exhaust fans on the roof have appropriate screening for looks and noise, 3) all dumpsters be enclosed, and 4) the city planner continue to work with the developers.
Ayes all; Nays none; Motion carried.

9. SITE PLAN REVIEW - DAIRY QUEEN - 5398 HWY. 10 EAST

Chm. Wescott reviewed the staff report and stated staff feels the request is consistent with the highway access plan and recommends approval.

Lois Feldman moved, seconded by Fred Steffen, to recommend approval of the site plan as presented for the proposed Dairy Queen building at 5398 Hwy. 10 East.
Ayes all; Nays none; Motion carried.

10. CONDITIONAL USE PERMIT TO OPERATE TAVERNS AT THE FOLLOWING LOCATIONS: 2317 Division St., 1009 Clark St., 912 Main St. 2600 Stanley St.

John Gardner noted the request for 912 Main Street does not expire until June and the Police Dept. would like to review the conditions. The Police Dept. has received no complaints about the remaining taverns and recommends approval.

Chm. Wescott moved, seconded by Lois Feldman, to recommend approval of the conditional use permits to operate taverns at 2317 Division St., 1009 Clark St., and 2600 Stanley St. with expiration dates for each of June 1, 2007 (The conditional use request for 912 Main St. has been tabled and will come back at a later date.)
Ayes all; Nays none; Motion carried.

11. ACCEPTANCE OF RIGHT-OF-WAY -CTH. HH BETWEEN I-39 AND BRILOWSKI RD.

John Gardner stated the widening is needed for a widening of CTH. HH and will provide space for sidewalks on the north side of the street. County HH is under County jurisdiction and the County will accept the balance of the right of way.

Chm. Wescott moved, seconded by Fred Steffen, to recommend accept the right-of-way on CTH. HH between I-39 and Brilowski Rd. as shown on the attached map.
Ayes all; Nays none; Motion carried.

12. NAME STREET IN PORTAGE COUNTY BUSINESS PARK

Lois Feldman moved, seconded by Ann Shannon to recommend the name of Carrie Frost Dr. for the street located between John Joanis Drive and Brilowski Rd.
Ayes all; Nays none; Motion carried.

Meeting adjourned at 6:00 p.m.

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