

Meeting Minutes

Regular City Council Meeting Minutes

March 15, 2004, 7:00 P.M.

Council Chambers - County/City Building

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

Also Present: Comptroller/Treasurer Schlice, City Clerk Zdroik, Directors Gardner, Schrader, Euclide, Halverson; Police Captain Dowling, Fire Chief Barnes, Assessor Kuehn, Transit Manager Lemke, Administrative Assistant Gebert, Kari Yenter, Kate Garsombke (Journal), 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 February 16, 2004.
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 Edward J. Huck - Alliance of Cities.
6. Plan Commission meetings of November 24, 2003, February 23, 2004 and March 1, 2004.
7. Public hearing - amending zoning ordinance which would classify 3609 Stanley Street as "B-4" Commercial Zoning from "R-2" Single Family.
8. Ordinance on the above.
9. Public hearing - request for a permit for a car wash as a Conditional Use - 3609 Stanley Street.
10. Resolution on the above.
11. Public Protection Committee meeting of March 8, 2004.
12. Board of Public Works meeting of March 8, 2004.
13. Traffic - 9.05(j) 83. No Parking Here to Corner Sign on the south side of Jefferson Street 58 feet from the corner of East Avenue. 9.05(j) 109. No Parking Here to Corner on the east side of Strongs Avenue from a point of 45 feet north of Court Street.
14. Public hearing - levying special assessments for Assessor's Plat Number 6.
15. Final Resolution on the above.
16. Special Board of Public Works meeting of March 15, 2004 - Airport Improvements.
  
17. Resolution petitioning the Secretary of Transportation for Airport Improvement Aid.
18. Authorize Mayor to accept Agency Agreement and Federal Block Grant Owner Assurances.
19. Finance Committee meeting of March 8, 2004.
20. Resolution - approving membership in the Wisconsin Local Government Telecommunications Coalition.
21. Personnel Committee meeting of March 8, 2004.
22. Ratification of the 2003-2004 Tentative Labor Agreement with Bakery, Confectionery, Tobacco Workers and Grain Millers International Union Local 205. (Water Department)
23. Board of Park Commissioners meeting of March 3, 2004.
24. Resolution Adopting the 2004-2009 City of Stevens Point Comprehensive Outdoor Recreation Plan.
25. Board of Water and Sewage Commissioners meeting of March 8, 2004.
26. Ordinance - amending Schedule of Sewage Service rates.
27. Reports: Police and Fire Commission meeting of March 9, 2004 and Special Joint Meeting of the Police and Fire Commission and Portage County Public Safety Committee of March 9, 2004. Comptroller - Treasurer's report - December 2003. Transportation Commission meetings of February 18, 2004 and March 11, 2004.
28. Mayor's appointments: Stevens Point Arts Council: Appoint Professor William Lawlor, 2508 Simonis Street, as the City of Stevens Point Poet Laureate; Appoint Maxine Hogan, 2001 Michigan Avenue (Expires 03-16-07); Department of Public Works, Appoint F. Joseph Euclide as the Director, 1515 Strongs Avenue (Expires 12-31-05)
29. Persons who wish to address the mayor and council for up to three (3) minutes on non-agenda item.
30. Adjournment
  2. Salute to the flag and Mayor's opening remarks.

Mayor Wescott pointed out the Main Street Application was signed, sealed and delivered to the Department of Commerce in Madison.

3. Approval of the minutes of the Regular Common Council meeting of February 16, 2004.

Ald. Walther moved, Ald. Markham seconded, for approval of the Regular Common Council minutes of February 16, 2004.

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.

Dan Pearson Item #11 - Public Protection Committee meeting of March 8, 2004  
2425 Patch Street  
Stevens Point, WI 54481

Mike Wimpe Item #11 - Public Protection Committee meeting of March 8, 2004  
2411 Shadowview Circle  
Plover, WI 54467

Jim DeWeerd Item #11 - Public Protection Committee meeting of March 8, 2004  
5364 Duncan Drive  
Stevens Point, WI 54481

Norman Barber Item #29 - Persons who wish to address Mayor and Council  
2400 Church Street  
Stevens Point, WI 54481

Jaime Klasinski Item #11 - Public Protection Committee meeting of March 8, 2004  
5427 Oakwood Avenue  
Stevens Point, WI 54481

Teresa Timerman Item #11 - Public Protection Committee meeting of March 8, 2004  
4009 Jay Court  
Stevens Point, WI 54481

Chris Seefeldt Item #11 - Public Protection Committee meeting of March 8, 2004  
1990 Polonia Road  
Custer, WI 54423

Marv Hafenbreadl Item #11 - Public Protection Committee meeting of March 8, 2004  
525 Wadleigh Street  
Stevens Point, WI 54481

Jordan Kaiser Item #11 - Public Protection Committee meeting of March 8, 2004  
Mission Coffee House  
Stevens Point, WI 54481

Jeff Peterson Item #11 - Public Protection Committee meeting of March 8, 2004  
5463 Oakwood Avenue  
Stevens Point, WI 54481

Anne Hoffmann Item #11 - Public Protection Committee meeting of March 8, 2004  
1745 Church Street  
Stevens Point, WI 54481

Stacey Powell Item #11 - Public Protection Committee meeting of March 8, 2004  
2600 Bush Court  
Stevens Point, WI 54481

Eric Berens Item #11 - Public Protection Committee meeting of March 8, 2004  
5461 Conifer Drive  
Stevens Point, WI 54481

Reid Rocheleau Item #29 - Persons who wish to address Mayor and Council  
408 Cedar Street  
Whiting, WI

Jo Seiser Item #29 - Persons who wish to address Mayor and Council  
616 Fourth Avenue  
Stevens Point, WI 54481  
5. Presentation by Edward J. Huck - Alliance of Cities.

Edward J. Huck gave a brief presentation on what is ahead for the State Legislature. Mr. Huck explained what has happened, what is expected in the short run and what is expected in the long run for the State of Wisconsin.

6. Plan Commission meetings of November 24, 2003, February 23, 2004 and March 1, 2004.

Ald. Phillips moved, Ald. Sowieja seconded, for approval of the Plan Commission minutes of November 24, 2003, February 23, 2004, and March 1, 2004.

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

7. Public hearing - amending zoning ordinance which would classify 3609 Stanley Street as "B-4" Commercial Zoning from "R-2" Single Family, was declared open by the Mayor.

Randy Trzebiatowski stated the site plan for this project was not turned in on time. Mr. Trzebiatowski said there are a few issues that still need to be worked on and requested to return before the Plan Commission next month.

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

8. Ordinance on the above.

Ald. Molski moved, Ald. Rackow seconded, to direct Item #8 - zoning ordinance which would classify 3609 Stanley Street as "B-4" Commercial Zoning and Item #10 - Resolution for a permit for a car wash as a Conditional Use at 3609 Stanley Street back to the April Plan Commission meeting for further discussion.

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

9. Public hearing - request for a permit for a car wash as a Conditional Use - 3609 Stanley Street.

10. Resolution on the above.

This item was directed back to the Plan Commission meeting in April, 2004.

11. Public Protection Committee meeting of March 8, 2004.

Ald. Phillips moved, Ald. Sowieja seconded, for approval of the Public Protection Committee minutes of March 8, 2004, with items #1C, #1D, and #4 pulled for further discussion.

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

Item #1D - Application for Class "C" Wine License - Jordan D. Kaiser, Mission Coffee House:

Jordan Kaiser, Mission Coffee House, disputed the Police Department's recommendation for denial of the Class "C" Wine License. Mr. Kaiser said the reason for the recommendation of denial for the license was for personal reasons which has nothing to do with the Mission Coffee House. The Mission Coffee House has been successfully operated.

Captain Dowling said the language was changed to reflect the applicant did not meet the criteria established by the Public Protection Committee for licensing. The potential conflict would be for the single arrest that was listed on the letter to Mr. Kaiser.

Ald. Seiser moved, Ald. Sowieja seconded, to approve the application for Class "C" Wine License - Jordan D. Kaiser, Mission Coffee House, 1319 Strongs Avenue, Stevens Point, WI 54481.

Roll Call: Ayes: Ald. Walther, Markham, Seiser, Sowieja.  
Nays: Ald. Sevenich, Barr, Rackow, Molski, Stroik, Phillips, Moore.  
Ayes - 4. Nays - 7. Motion defeated.

Ald. Sevenich moved, Ald. Phillips seconded, to deny the application for Class "C" Wine License - Jordan D. Kaiser, Mission Coffee House, 1319 Strongs Avenue, Stevens Point, WI 54481.

Ald. Sevenich noted the guidelines set by the Council states the applicant does not have possession of controlled substance or drug paraphernalia conviction within the past three years.

Roll Call: Ayes: Ald. Moore, Phillips, Stroik, Molski, Rackow, Barr, Sowieja, Walther, Sevenich.  
Nays: Ald. Seiser, Markham.  
Ayes - 9. Nays - 2. Motion carried.

Item #4 - Request permission to use Crosby Avenue on Saturday, March 20, 2004 for the Day of Action Peace Rally:

Dan Pearson, 2425 Patch Street, is the contact person for the request to use Crosby Avenue on Saturday, March 20, 2004, for the Day of Action Peace Rally. Mr. Pearson noted the time was changed from 12:00 P.M. to 6:30 P.M. to 10:00 A.M. to 3:00 P.M.

Ald. Phillips moved, Ald. Rackow seconded, to approve the request to use Crosby Avenue on Saturday, March 20, 2004, starting at 10:00 A.M. until 3:00 P.M., for the Day of Action Peace Rally.

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

Item #1C - Application for Class "B" Beer License - Portage County Youth on Ice

Mike Wimpe, 2411 Shadowview Circle, is the Treasurer for the Portage County Youth on Ice and have three children play hockey. Mr. Wimpe stressed the reason for this request is to provide beverage services for expo events and adult oriented activities. The intent is not to sell alcoholic beverages during youth athletic events. The Portage County Youth on Ice members are willing to amend the license application to include "alcohol beverages not to be sold at any youth athletic events". The Portage County Youth on Ice relies heavily on fund raising to support the ice hockey facility and keep the costs of the youth programming down. The facility is ideal for expos and events during off season time. Portage County Youth on Ice is asking for the same consideration that other non-profit organizations have been granted.

Jim DeWeerd, 5364 Duncan Drive, understands the difficulty in trying to finance youth sports in this community. This is an opportunity for the group to help complete and meet their financial goal. Mr. DeWeerd agrees alcohol should not be sold during youth events but could be opened for other events such as expos.

Jaime Klasinski, President of Portage County Youth on Ice, supports the request and is available for any questions.

Teresa Timerman, 4009 Jay Court, opposes the request for the Class "B" license for the Portage County Youth on Ice. Ms. Timerman believes adults do not need to drink beer at the Youth Sports Complex. The Youth Sports Complex is a youth focused location that should send a clear message to our youth by not having any signs of alcohol.

Chris Seefeldt, 1990 Polonia Road, supports the request. Ms. Seefeldt stated even though this is a Youth Sports Complex, the youth activities will not be going on during the time of the beer sales.

Marv Hafenbreadl, 525 Wadleigh Street, reminded the Council this is the same group that raises funds at the Riverfront Rendezvous by selling beer for the benefit of the city. It would be very wrong of the Council to say this group cannot sell beer to benefit themselves but it is all right for this same group to sell beer to benefit the City.

Jeff Peterson, Vice-President of Portage County Youth on Ice, stated hockey is a very expensive sport. Portage County Youth on Ice uses whatever venues they can to offset these costs.

Anne Hoffmann, 1745 Church Street, has concerns about this request. The average individual has no idea what is going on. Ms. Hoffmann has not heard the details or plans of how the sellers will be trained, how will they market the sales, how will the hours be set, or how will this organization guarantee that underage persons will not have access to alcohol. There are plenty of valid reasons why the Council could deny this

license.

Stacey Powell, 2600 Bush Court, says it seems like this community links alcohol with sports. Although the intent of this license is not malicious, Ms. Powell believes this organization does not see the secondary effects a license will have on our community and youth.

Eric Berens, 5461 Conifer Drive, is in favor of granting the Portage County Youth on Ice the privilege of a Class "B" license. The youth have learned teamwork and responsibility by being a member of this association. The organization deserves the ability to defray the costs of operating the facility and providing these opportunities in the future. These people are leaders in this community who can be trusted.

Ald. Sowieja moved, Ald. Barr seconded, for approval of the application for a Class "B" Beer License for Portage County Youth on Ice, Inc., at 801 Badger Drive, in which beer will not be served during youth sporting events.

Ald. Sowieja said these are responsible individuals who want the opportunity to do what is best for the children. There are many licenses that are issued for family events. It is a personal responsibility to act appropriately around children. The easiest thing to do is to blame a problem on society as a whole. This organization is taking the responsibility of not serving beer during youth activities.

Ald. Barr suggested visiting the entire venue of the selling alcohol at family events. However, until this is done, it would be unfair to deny this group this ability to raise funds. The alderman feels this group is being targeted because the word youth is in the title.

Ald. Walther was originally concerned with this request, however, now feels comfortable with the way the motion was made.

Ald. Rackow noted the Council must remember that alcohol is a legal product that is heavily taxed and raises significant revenues for various governments. It was already agreed that beer will not be sold during youth sporting events.

Ald. Molski is comfortable issuing the license with the addition that beer not be sold during youth sporting events.

Ald. Stroik would like the level of comfort knowing all the guidelines are covered within the Class "B" license and this group will need to follow all the rules. Can this organization have volunteers serve beer from the concession stand without additional licenses, Ald. Stroik asked?

Clerk Zdroik stated the individual must be licensed to serve beer. The agent, Chris Seefeldt is already a licensed bartender. Ms. Seefeldt must be there at all times during the sale of beer or additional licensed bartenders are required.

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

Nays: Ald. Seiser.

Ayes - 10. Nays - 1. Motion carried.

12. Board of Public Works meeting of March 8, 2004.

Ald. Sowieja moved, Ald. Phillips seconded, for approval of the Board of Public Works minutes of March 8, 2004.

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

Nays: None. Motion carried.

13. Traffic -

9.05(j) 83. No Parking Here to Corner Sign on the south side of Jefferson Street 58 feet from the corner of East Avenue.

9.05(j) 109. No Parking Here to Corner on the east side of Strongs Avenue from a point of 45 feet north of Court Street.

Ald. Sowieja moved, Ald. Stroik seconded, for adoption of the traffic ordinance.

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

Nays: None. Motion carried.

14. Public hearing - levying special assessments for Assessor's Plat Number 6, was declared open by the Mayor.

Jody Szymanski, Secretary of Carriage Condominium, would like clarification on the ownership of one of the properties. Gary and Nancy Buse are no longer the owners of the property.

Assessor Kuehn stated because of the problems with the legal descriptions, the Laskowski/Buse sale has not been recognized. The ownership has not been transferred on the Buse property to Laskowski. It is clearly the intent of the Laskowskis to purchase the property from Buse. The Assessor believes the Laskowskis would like to construct an apartment building on this property. This has all been put on hold, hence the Assessor's Plat came about.

Jody Szymanski agrees the Assessor's Plat is needed. The total cost is \$1600 which is equally divided by 14 property owners. Ms. Szymanski would like to propose the cost be divided between the three properties equally.

Assessor Kuehn explained the way the statute reads it is a special assessment against the property owners. There are twelve owners of condominium units in Carriage Condo. Those twelve owners in turn have twelve deeds to their properties. The other two abutting property owners also have a deed to their property. There are fourteen property owners upon which the law provides for this special assessment to be levied. According to the City Surveyor, the assessments go to the property owners. The Carriage Condominium Association is not an owner.

Jody Szymanski said most of the residents of Carriage Condominium are in their 60's and are living on fixed incomes.

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

15. Final Resolution on the above.

Ald. Rackow asked if the cost for the Assessor's Plat is divided equally among the property owners or is it based on the assessed value of their property?

Assessor Kuehn said it is an equal division among the property owners.

Mayor Wescott noted all resolutions are reviewed by legal staff before being presented to the Council.

Ald. Rackow moved, Ald. Phillips seconded, for adoption of the final resolution.

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

16. Special Board of Public Works meeting of March 15, 2004 - Airport Improvements.

Ald. Sowieja moved, Ald. Stroik seconded, for approval of the Special Board of Public Works minutes of March 15, 2004.

Clerk Zdroik read the minutes of the Special Board of Public Works meeting of March 15, 2004.

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

17. Resolution petitioning the Secretary of Transportation for Airport Improvement Aid.

This agenda item was tabled and returned to the Plan Commission and Common Council meetings in April.

18. Authorize Mayor to accept Agency Agreement and Federal Block Grant Owner Assurances.

This agenda item was tabled and returned to the Plan Commission and Common Council meetings in April.

19. Finance Committee meeting of March 8, 2004.

Ald. Barr moved, Ald. Seiser seconded, for approval of the Finance Committee minutes of March 8, 2004.

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

20. Resolution - approving membership in the Wisconsin Local Government Telecommunications Coalition.

Ald. Rackow moved, Ald. Seiser seconded, for adoption of the resolution.

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

21. Personnel Committee meeting of March 8, 2004.

Ald. Rackow moved, Ald. Molski seconded, for approval of the Personnel Committee minutes of March 8, 2004.

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

22. Ratification of the 2003-2004 Tentative Labor Agreement with Bakery, Confectionery, Tobacco Workers and Grain Millers International Union Local 205. (Water Department)

Ald. Rackow moved, Ald. Molski seconded, to ratify the 2003-2004 Labor Agreement with Bakery, Confectionery, Tobacco Workers and Grain Millers International Union Local 205.

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

23. Board of Park Commissioners meeting of March 3, 2004.

Ald. Moore moved, Ald. Seiser seconded, for approval of the Board of Park Commissioners minutes of March 3, 2004.

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

24. Resolution Adopting the 2004-2009 City of Stevens Point Comprehensive Outdoor Recreation Plan.

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

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

25. Board of Water and Sewage Commissioners meeting of March 8, 2004.

Ald. Molski moved, Ald. Walther seconded, for approval of the Board of Water and Sewage Commissioners minutes of March 8, 2004.

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

26. Ordinance - amending Schedule of Sewage Service rates.

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

Ald. Phillips questioned the rates increasing by 20 percent on the meter chart. The alderman recalls the rates increasing just one year ago.

Director Halverson said when rates are established the costs to provide the service are taken into consideration. The new automated meter reading system is being implemented.

Ald. Phillips understood it to be that the last time the rates were increased was to accommodate the new meters. The meters have already been changed.

Director Halverson said the rates are established from all the costs involved with operation maintenance.

Ald. Phillips stated with the new meter reading system, the costs were suppose to decrease.

Director Halverson said the Water Department was still not able to decrease any staff members. The Director stated the new automated system has not been fully implemented yet.

Ald. Phillips asked if the costs will go down when the new system is fully implemented?

Director Halverson said she cannot answer that for sure.

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

27. Reports:

Police and Fire Commission meeting of March 9, 2004 and Special Joint Meeting of the Police and Fire Commission and Portage County Public Safety Committee of March 9, 2004.

Comptroller-Treasurer's report - December 2003.

Transportation Commission meetings of February 18, 2004 and March 11, 2004.

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

Roll Call: Ayes all.

Nays none. Motion carried.

28. Mayor's appointments -

Stevens Point Arts Council - Appoint Professor William Lawlor, 2508 Simonis Street as the City of Stevens Point Poet Laureate

Appoint Maxine Hogan, 2001 Michigan Avenue (Expires 03-16-07)

Department of Public Works - Appoint F. Joseph Euclide as the Director, 1515 Strong's Avenue (Expires 12-31-05)

Ald. Stroik moved, Ald. Seiser seconded, for confirmation of the Mayor's appointments.

Roll Call: Ayes all.

Nays none. Motion carried.

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

Norman Barber voiced his concerns regarding the South Side Construction Project.

Reid Rocheleau voiced his concerns regarding the reassessment process in the City of Stevens Point.

Ald. Seiser said there are logical reasons why the lower end housing in the City have increased in assessed value. There is just a higher demand for the lower end housing. The alderperson suggested if any city property owners have a concern about their assessment, they should contact the City Assessor.

Mayor Wescott clarified the proper appeals process for city property owners contesting their assessed value.

Mayor Wescott noted this is the only unit of government that has an agenda item that permits citizens who wish to address the Council on a non-agenda item.

30. Adjournment - 8:50 P.M.

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Bottom of Form