

Meeting Minutes

Regular Council Meeting

Council Chambers - County/City Building

February 17, 2003, 7:00P.M.

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

Excused: Ald. Sevenich

Also Present: Comptroller/Treasurer Schlice, City Attorney Molepske, City Clerk Zdroik, Directors Van Alstine, Gardner, Schrader, Disher; Police Chief Carpenter, Fire Chief Barnes, Transit Manager Lemke, Personnel Specialist Jakusz, Fleet Maintenance Supervisor Laidlaw, Administrative Assistant Gebert, Kari Yenter, Kate Garsombke (Journal), Gene Kemmeter (Portage County Gazette)

Index to these minutes:

1. Roll Call
2. Salute to the flag and Mayor's opening remarks.
3. Approval of the minutes of the Regular Common Council and Joint Special Public Protection Committee meeting of January 20, 2003.
4. Persons who wish to address the mayor and council on specific agenda items other than a "Public Hearing"
5. Plan Commission meeting of February 3, 2003.
6. Public hearing - amendment of the Zoning Ordinance which would classify 5569 Highway 10 East, more particularly described as Lot 1 of CSM #7084-26-14, being part of the SE NE of S35 T24 R8 from "R-5" Multiple Family II Zoning to "B-5" Highway Commercial Zoning.
7. Ordinance on the above.
8. Public hearing - amendment of the Zoning Ordinance which would classify a vacant parcel of land adjacent to 533 Second Street North, more particularly described as Lot 1 of CSM #8076-31-56, being part of the S1/2 of the SW of S20 T24 R8, from "R-3" Two Family Zoning to "R-4" Multiple Family I Zoning.
9. Ordinance on the above.
10. Public Protection Committee meeting of February 10, 2003.
11. Board of Public Works meeting of February 10, 2003.
12. Ordinance - Traffic: Create 35 MPH Speed Limit. 9.02(a)(1) (x). Dubay Avenue between Johnson Drive and the west city limits. Create Loading Zone. 9.05(k) 34. On the east side of Cross Street from 123 feet north of Clark Street to a point 176 feet north of Clark Street.
13. Preliminary Resolution - new or replacement sanitary sewer laterals and/or water services and/or storm sewer laterals - for properties fronting upon both sides of Main Street from Rogers Street to Minnesota Avenue and for properties fronting upon both sides of Main Street from Minnesota Avenue to 300 feet east of Frontenac Avenue.
14. Special Board of Public Works meeting of February 17, 2003.
15. Finance Committee meeting of February 10, 2003.
16. Resolution - relating to rescinding of real estate tax levy - Abode Corporation.
17. Personnel Committee meeting of February 10, 2003.
18. Telecommunications Commission meeting of January 30, 2003.
19. Board of Water and Sewage Commissioners meeting of February 10, 2003.
20. Meetings: Police and Fire Commission meeting of February 11, 2003. Transportation Commission meeting of February 12, 2003.
21. Persons who wish to address the mayor and council for up to three (3) minutes on non-agenda item.
22. Adjournment.

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

Mayor Wescott assured the citizens that the City of Stevens Point is a very safe community. The community is protected by professional police officers, fire fighters and paramedics. We live in a community that has done a considerable amount of planning for any contingency.

Mayor Wescott said the National Governor's Association has determined the budget crisis as the worst fiscal crisis in the history of this state. In 2004, the current shared revenue for the City of Stevens Point will be reduced by approximately 7%. If approved by the state legislature that would translate to about \$300,000 reduction in shared revenue for the City of Stevens Point.

Mayor Wescott reminded the citizens of the Primary Election tomorrow.

Mayor Wescott also noted Ald. Walther will hold a Second District meeting on Wednesday, February 19, 2003, from 7:00 p.m. to 8:30 p.m. at the Parks and Recreation building.

3. Approval of the minutes of the Regular Common Council and Joint Special Public Protection Committee meeting of January 20, 2003.
Ald. Phillips moved, Ald. Nealis seconded, for approval of the Regular Common Council and Joint Special Public Protection Committee minutes of January 20, 2003.

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.

None.

5. Plan Commission meeting of February 3, 2003.

Ald. Rackow moved, Ald. Sowieja seconded, for approval of the Plan Commission minutes of February 3, 2003.

Roll Call: Ayes all.

Nays none. Motion carried.

6. Public hearing - amendment of the Zoning Ordinance which would classify 5569 Highway 10 East, more particularly described as Lot 1 of CSM #7084-26-14, being part of the SE NE of S35 T24 R8 from "R-5" Multiple Family II Zoning to "B-5" Highway Commercial Zoning, was declared open by the Mayor.

Art Parry of Hanson Law, 204 South Main Street, Waupaca, stated the property does meet all the minimum standards. "B-5" Highway Commercial

zoning is the best and highest use for this property. The request for "B-5" Commercial zoning is consistent with the surrounding zoning pattern. The conflict with the adjacent properties is minimal. Mr. Parry does not feel the generation of traffic on Highway 10 is an issue. The proposed DOT median will actually funnel traffic through Treder Avenue and Ellis Street.

Marshall Lysne, 222 Christy Street, Amherst, said if a median is installed in front of this property, it is highly unlikely a business that requires a high traffic volume will locate at this site. Mr. Lysne is hoping for a specialty shop that requires commercial zoning and generates a low traffic volume will locate on this site.

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

7. Ordinance on the above.

Ald. Nealis asked if there is a planned business for this location?

Mayor Wescott noted this is just a request for a zoning change.

Ald. Seiser moved, Ald. Phillips seconded, to deny the request to amend the zoning which would classify 5569 Highway 10 East from "R-5" Multiple Family II zoning to "B-5" Highway Commercial zoning.

Ald. Sowieja feels if a median is installed on Highway 10, the neighborhood will be affected whether the property is zoned "R-5" Multiple Family zoning or "B-5" Highway Commercial.

Ald. Nealis said the residential area is already faced with commercial use on Highway 10 East. It seems unfair to this property owner to not allow the zoning change.

Director Gardner stated most of the commercial properties were already developed when the City acquired these properties. The Lysne property was residential when it was annexed into the City. This is how the current zoning was established.

Ald. Phillips asked what type of businesses could be developed on this property?

Director Gardner said the highest traffic generated business would be a fast food restaurant.

Ald. Phillips asked if a gas station, oil change business or car wash could locate on this site?

Director Gardner said a car wash would require a conditional use. A gas station and oil change business would be precluded from locating at this location.

Ald. Seiser asked what the comments were from the neighbors?

Director Gardner believes one neighbor did testify at the Plan Commission meeting opposing the rezoning request.

Roll Call: Ayes: Ald. Filipiak, Seiser, Phillips, Moore.

Nays: Ald. Walther, Sowieja, Barr, Rackow, Molski, Nealis.

Ayes - 4. Nays - 6. Motion defeated.

Ald. Nealis moved, Ald. Walther seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Walther, Sowieja, Barr, Rackow, Molski, Nealis.

Nays: Ald. Filipiak, Seiser, Phillips, Moore.

Ayes - 6. Nays - 4. Motion carried.

8. Public hearing - amendment of the Zoning Ordinance which would classify a vacant parcel of land adjacent to 533 Second Street North, more particularly described as Lot 1 of CSM #8076-31-56, being part of the S1/2 of the SW of S20 T24 R8, from "R-3" Two Family Zoning to "R-4" Multiple Family I Zoning, was declared open by the Mayor.

Mark Erwin, 533 Second Street North, stated his property is in the middle of multi family and commercial zoning. The neighbors agree with the rezoning request and the proposed project for this property. The proposed nine-unit one bedroom apartment complex will blend in nicely with the neighborhood. Mr. Erwin also noted the proposed development will increase the tax base for this area.

Bobbie Erwin, 533 Second Street North, said the type of people they hope to get as tenants are young professionals. Mrs. Erwin feels the proposed development will help promote and support downtown businesses.

John Johnson, 100 Meadow Street, will be the builder for the proposed development. The proposed development is a single story structure with a single driveway. The development will blend in well with the neighborhood. Mr. and Mrs. Erwin will be on-site landlords. Mr. Johnson feels there is a need for single bedroom housing.

Ann Kulinski, 1515 Wyatt Avenue, said with looking at this area, there are a lot of large apartments. This development on the other hand will be a one story L-shaped building that is set back from the roadway. Mr. and Mrs. Erwin also own other properties which are very well maintained. These are the type of landlords that are needed in the City.

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

9. Ordinance on the above.

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

Ald. Seiser noted the property owners purchased the property knowing they could only build one duplex on the property. The alderperson does like to see new construction but would like to see a variety in the neighborhood. This area already has a lot of large multi family apartments.

Ald. Moore added this property is large enough to develop two duplexes on the lot. The alderman received numerous calls in favor of the proposed project. This development fits the neighborhood.

Ald. Phillips feels if anything, this property should be zoned single family.

Ald. Molski said this type of development is an excellent way to use these deep lots.

Ald. Walther reviewed the property and feels the development will work well in the neighborhood.

Ald. Sowieja feels Mr. and Mrs. Erwin are concerned about the community and neighborhood. The Erwins have gone to a great extent to plan something that is acceptable for the neighborhood.

Ald. Rackow stated the City does want to promote in-fill within the City where there is space for people to live.

Ald. Filipiak also reviewed the property. The alderman was encouraged by Mr. and Mrs. Erwin's commitment to the community and the environment.

Roll Call: Ayes: Ald. Moore, Nealis, Molski, Rackow, Barr, Sowieja, Filipiak, Walther.

Nays: Ald. Phillips, Seiser.

Ayes - 8. Nays - 2. Motion carried.

10. Public Protection Committee meeting of February 10, 2003

Ald. Phillips moved, Ald. Molski seconded, for approval of the Public Protection Committee minutes of February 10, 2003.

Roll Call: Ayes all.

Nays none. Motion carried.

11. Board of Public Works meeting of February 10, 2003.

Ald. Sowieja moved, Ald. Walther seconded, for approval of the Board of Public Works minutes of February 10, 2003.

Roll Call: Ayes: Ald. Moore, Phillips, Nealis, Molski, Rackow, Barr, Sowieja, Seiser, Filipiak, Walther.

Nays: None. Motion carried.

12. Ordinance - Traffic:

Create 35 MPH Speed Limit. 9.02(a)(1) (x). Dubay Avenue between Johnson Drive and the west city limits.

Create Loading Zone. 9.05(k) 34. On the east side of Cross Street from 123 feet north of Clark Street to a point 176 feet north of Clark Street.

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

Roll Call: Ayes: Ald. Walther, Filipiak, Seiser, Sowieja, Barr, Rackow, Molski, Nealis, Phillips, Moore.

Nays: None. Motion carried.

13. Preliminary Resolution - new or replacement sanitary sewer laterals and/or water services and/or storm sewer laterals - for properties fronting upon both sides of Main Street from Rogers Street to Minnesota Avenue and for properties fronting upon both sides of Main Street from Minnesota Avenue to 300 feet east of Frontenac Avenue.

Ald. Rackow moved, Ald. Molski seconded, for adoption of the preliminary resolution.

Roll Call: Ayes: Ald. Walther, Filipiak, Seiser, Sowieja, Barr, Rackow, Molski, Nealis, Phillips, Moore.

Nays: None. Motion carried.

14. Special Board of Public Works meeting of February 17, 2003.

Clerk Zdroik read the minutes of the Special Board of Public Works meeting of February 17, 2003.

Ald. Sowieja moved, Ald. Moore seconded, for approval of the Special Board of Public Works minutes of February 17, 2003.

Roll Call: Ayes: Ald. Moore, Phillips, Nealis, Molski, Rackow, Barr, Sowieja, Seiser, Filipiak, Walther.

Nays: None. Motion carried.

15. Finance Committee meeting of February 10, 2003.

Ald. Barr moved, Ald. Phillips seconded, for approval of the Finance Committee minutes of February 10, 2003.

Roll Call: Ayes: Ald. Moore, Phillips, Nealis, Molski, Rackow, Barr, Sowieja, Seiser, Filipiak, Walther.

Nays: None. Motion carried.

16. Resolution - relating to rescinding of real estate tax levy - Abode Corporation.

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

Ald. Phillips said the state statutes clearly state this facility is not exempt from taxes. The Abode Corporation is using the Lutheran Church to get away from paying taxes. Our state legislatures need to be contacted to change the law.

Ald. Nealis said it is ridiculous that the City will have to foot the bill because of a loop hole in the state law.

Ald. Sowieja asked if the Council has an alternative on this issue?

City Attorney Molepske replied, no. If a church owns what is categorized as a nursing home, it is tax exempt.

Roll Call: Ayes: Ald. Walther, Filipiak, Seiser, Sowieja, Barr, Rackow, Molski, Nealis, Moore.

Nays: Ald. Phillips.

Ayes - 9. Nays - 1. Motion carried.

17. Personnel Committee meeting of February 10, 2003.

Ald. Rackow moved, Ald. Seiser seconded, for approval of the Personnel Committee minutes of February 10, 2003.

Roll Call: Ayes: Ald. Moore, Phillips, Nealis, Molski, Rackow, Barr, Sowieja, Seiser, Filipiak, Walther.

Nays: None. Motion carried.

Ald. Rackow moved, Ald. Molski seconded, to authorize the City Attorney to contact the Union in an effort to resolve Grievance S-8 and Grievance T-2-02.

Roll Call: Ayes: Ald. Walther, Filipiak, Seiser, Sowieja, Barr, Rackow, Molski, Nealis, Phillips, Moore.

Nays: None. Motion carried.

18. Telecommunications Commission meeting of January 30, 2003.

Ald. Rackow moved, Ald. Phillips seconded, for approval of the Telecommunications Commission minutes of January 30, 2003.

Roll Call: Ayes all.

Nays none. Motion carried.

19. Board of Water and Sewage Commissioners meeting of February 10, 2003.

Ald. Walther moved, Ald. Molski seconded, for approval of the Board of Water and Sewage Commissioners minutes of February 10, 2003.

Roll Call: Ayes: Ald. Moore, Phillips, Nealis, Molski, Rackow, Barr, Sowieja, Seiser, Filipiak, Walther.

Nays: None. Motion carried.

20. Reports:

Police and Fire Commission meeting of February 11, 2003.

Transportation Commission meeting of February 12, 2003.

Ald. Sowieja moved, Ald. Barr seconded, to accept the reports and place them on file.

Roll Call: Ayes all.

Nays none. Motion carried.

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

Ald. Filipiak announced this week is Civic Engagement Week at the UW-Stevens Point.

22. Adjournment - 8:15 P.M.

The meeting minutes reproduced on this website are derived from the computer files used to produce the official minutes for the City of Stevens Point, but are unofficial. The minutes on this web site cannot be certified under s. 889.08, Wis. Stats., and cannot be considered prima facie evidence under s. 889.04, Wis. Stats. Certain tables, maps, and other documents that are a part of the official minutes are not included in the files reproduced on this website. Please consult the printed minutes, available in the City Clerk's Office, for the official text. The decisions made by City of Stevens Point boards, committees, and commissions (other than the Police & Fire Commission) are advisory only and are not binding on the city until affirmed at a meeting of the Common Council. Some of the minutes on this web site might not be approved by the Common Council as of today.

Bottom of Form