

Meeting Minutes

Regular Council Meeting

Council Chambers - County/City Building

May 19, 2003, 7:00P.M.

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 Attorney Molepske, City Clerk Zdroik, Directors Van Alstine, Gardner, Schrader, Disher; Records and Accreditation Administrator Lee, Fire Chief Barnes, Assessor Kuehn, Fleet Maintenance Supervisor Laidlaw, Administrative Assistant Gebert, Kari Yenter, Kate Garsombke (Journal), Gene Kemmeter (Portage County Gazette)

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1. Roll Call
2. Salute to the flag and Mayor's opening remarks.
3. Approval of the minutes of the Regular Common Council meeting of April 21, 2003.
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 the 2003 Poppy Princess - Giselle Sankey.
6. Plan Commission meetings of May 5, 2003 and April 28, 2003.
7. Ordinance - Annexation - Norman & Lucille Dombrowski property located at 304 North Point Drive - 0.661 Acres.
8. Public hearing - request of Stevens Point Area School District to amend the existing parking lot at SPASH, as a Conditional Use.
9. Resolution on the above.
10. Public hearings:
 - A. Request of The Flame, 916 Maria Drive, to operate a tavern, as an existing 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.
 - D. Request of Archie's Bar, 2317 Division Street, to operate a tavern as a Conditional Use.
11. Resolution on the above.
12. Resolution - upgrade of gas station at 4928 Main Street.
13. Public hearing - request of Cooper Oil, 4928 Main Street, to operate a car wash, as a Conditional Use.
14. Resolution on the above.
15. Public hearing - request of Mark Erwin, 533 Second Street North, to construct an apartment building, as a Conditional Use.
16. Resolution on the above.
17. Joint City Plan Commission and Board of Public Works meeting of May 12, 2003.

18. Public Protection Committee meeting of May 12, 2003.
19. Board of Public Works meeting of May 12, 2003.
20. Ordinance Traffic:
No Parking Here to Corner.
9.05(j) 108. On the east side of Illinois Avenue from a point 15 feet north of Main Street to the intersection of Illinois Avenue and Main Street.
Stop Sign.
- 9.06(a) 739. Westbound on Doolittle Drive at the intersection of Wilshire Boulevard.
21. Public hearing - replacement of sanitary sewer laterals and/or water services and/or storm sewer laterals for properties fronting upon both sides of Ellis Street from Clark Street to Pine Street.
22. Final Resolution on the above.
23. Special Board of Public Works meeting of May 19, 2003.
24. Finance Committee meeting of May 12, 2003.
25. Special Finance Committee meeting of May 19, 2003.
26. Board of Park Commissioners meeting of May 6, 2003.
27. Board of Water and Sewage Commissioners meeting of May 12, 2003.
28. Reports:
Police and Fire Commission meeting of May 13, 2003.
Comptroller-Treasurer's report - March 2003.
Transportation Commission meeting of April 22, 2003.
29. Mayor's appointments.
Board of Review -
Scott Halverson Alternate #1 3139 Dan's Drive
Dennis Nash Alternate #2 617 Sunset Boulevard
Historical Preservation/Design Review Commission -
Brian Doudna 3225 Martha's Lane
30. Parting comments from retiring Public Works Director Jon VanAlstine.
31. Persons who wish to address the mayor and council for up to three (3) minutes on non-agenda item.
32. Adjournment.

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

Mayor Wescott led the salute to the flag.

3. Approval of the minutes of the Regular Common Council meeting of April 21, 2003.

Ald. Walther moved, Ald. Molski seconded, for approval of the Regular Common Council minutes of April 21, 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.

Jim Cooper Item #12 - Resolution-Upgrade of gas station at 4928 Main Street
1908 Pine Street
Stevens Point, WI 54481

Brian Doudna Item #17 - Joint City Plan Commission and Board of Public Works
3225 Martha's Lane
Stevens Point, WI 54481

Mari Boris Item #17 - Joint City Plan Commission and Board of Public Works
1924 Prairie Street
Stevens Point, WI 54481

Ron Blaha Item #17 - Joint City Plan Commission and Board of Public Works
3641 Prais Street
Stevens Point, WI 54481

Dan Rossiter Item #17 - Joint City Plan Commission and Board of Public Works
Rettler Corp.
Stevens Point, WI 54481

Jim Guzman Item #12 - Resolution-Upgrade of gas station at 4928 Main Street
1700 Rose Court
Plover, WI 54467

Irene Taves Item #17 - Joint City Plan Commission and Board of Public Works
CenterPoint MarketPlace
Stevens Point, WI 54481

Jerry Specht Item #12 - Resolution-Upgrade of gas station at 4928 Main Street
Northwest Petroleum
Wausau, WI

Nikki Phillips Item #17 - Joint City Plan Commission and Board of Public Works
CenterPoint MarketPlace
Stevens Point, WI 54481

Ray Schmidt Item #12 - Resolution-Upgrade of gas station at 4928 Main Street
Portage County Planning
and Zoning

Carrie Butt Item #17 - Joint City Plan Commission and Board of Public Works
1434 Plover Heights Road
Stevens Point, WI 54481

5. Presentation by the 2003 Poppy Princess - Giselle Sankey.

Poppy Princess Giselle Sankey is a member of the American Legion Auxiliary Unit 6. Miss Sankey recited a story of the poppy and how it helps the veterans. The donations collected for the poppies are used to help needy veterans and their families. If someone asks you to wear a poppy this year, please say yes and make a donation in honor of our veterans.

6. Plan Commission meetings of May 5, 2003 and April 28, 2003.

Ald. Rackow moved, Ald. Sowieja seconded, for approval of the Plan Commission minutes of May 5, 2003 and April 28, 2003.

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

7. Ordinance - Annexation - Norman & Lucille Dombrowski property located at 304 North Point Drive - 0.661 Acres.

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

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

8. Public hearing - request of Stevens Point Area School District to amend the existing parking lot at SPASH, 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. Rackow moved, Ald. Moore seconded, for adoption of the resolution.

Ald. Seiser asked if parking is planned along Second Street?

Dan Rossiter, Rettler Corp., replied at this time, there is no parking planned for that area.

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

10. Public hearings:

- A. Request of The Flame, 916 Maria Drive, to operate a tavern, as an existing 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.
- D. Request of Archie's Bar, 2317 Division 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.

11. Resolution on the above.

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

Ald. Phillips stated two years ago, the Council placed conditions on Archie's Bar to pave the parking lot and put up signage or fence. At the present time, the owner of Archie's Bar has failed to meet these conditions.

Ald. Phillips moved, Ald. Barr seconded, to amend the request of Archie's Bar, 2317 Division Street, to operate a tavern as a conditional use to include 1) the owner make provisions for paving the parking area by June 21, 2003, and construct barriers to prevent vehicles from parking on the unpaved area.

Ald. Seiser asked if the fence would run east and west along the north edge of the back parking lot at Archie's?

Ald. Phillips replied it would be on his property line.

Ald. Sowieja asked when the reconstruction of the south side business district will take place?

Director Van Alstine said later this summer the City is looking at buying approximately a 10-foot strip of land parallel to Church Street which would be most of the unpaved area.

Ald. Sowieja said in essence the owner will pave this area and the City will purchase it and tear it up anyway.

Director Van Alstine said the City will purchase it this year and tear it up in year 2005.

Ald. Seiser feels it is an unnecessary expense to make the owner pave the lot.

Ald. Phillips reminded the Council the owner of Archie's Bar already had two years to comply with the conditions.

Ald. Molski stated everybody else has to meet the conditions of their permit so should the owner of Archie's.

The following is the vote on the amended motion.

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

The following is the vote on the main motion.

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

12. Resolution - upgrade of gas station at 4928 Main Street.

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

Ald. Markham said the main question is does this proposal meet the requirement of the current city ordinance. The reason for the wellhead protection ordinance is to protect the City's water supply and well fields and to protect the public health. In the ordinance, a gas station can be upgraded but not expanded. The alderperson feels this request is both an upgrade and an expansion. The current ordinance gives conflicting advise whether to approve this proposal.

Ald. Markham moved, Ald. Seiser seconded, to table the request to upgrade the gas station at 4928 Main Street to further review and revise the current city ordinance pertaining to this request. After quickly reviewing and revising the ordinance, then reconsider the request to upgrade the gas station of 4928 Main Street.

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

Director Gardner said the question came up at the Plan Commission meeting is this request an expansion or an upgrade. The intent of the ordinance is to protect the groundwater. The building itself has little to do with the protection of groundwater. The handling of the fuel as well as how it is stored and monitored is the intent of the Groundwater Protection Ordinance. The tanks will remain the same. All the technology to get the fuel from the tanks to the fuel tank of the consumer is going to be upgraded.

Mayor Wescott asked Director Gardner to review the proposed upgrades.

Director Gardner said what is being proposed is a greater level of protection than what the minimum Department of Commerce standards require.

The current tanks will be connected to a new distribution line. The distribution line will have pressure sensors. The dispensers will have shut off valves in case of a line being pulled away from the dispenser. In addition, a concrete pad will be built where fueling takes place in case of a leak while fueling.

Ray Schmidt, Portage County Water Quality Specialist, helped develop the city's Groundwater and Wellhead Ordinance. Mr. Schmidt has some concerns how close the gas station is to the municipal wells. Traditionally, gas stations are a threat to groundwater. Mr. Schmidt feels the proposed upgraded equipment will work well but there is always the factor of human error.

Mayor Wescott asked Mr. Schmidt if he had the opportunity to evaluate the proposed equipment that is going to be installed?

Ray Schmidt said the proposed equipment sounds like it will be state of the art equipment.

Mayor Wescott noted the city has taken the protection of its groundwater very seriously.

Jerry Specht, Northwest Petroleum, reviewed the construction of the tanks, types of hoses, how the sensors work, and the monitoring system. There is not much more that can be done to protect the environment.

Mayor Wescott asked if these upgrades will offer greater protection of the groundwater.

Jerry Specht replied, yes.

Ald. Seiser would like to know the time of travel for the different zones.

Director Gardner said Zone B is a five year time of travel. The A Zone is a one year time of travel. The existing gas station is on the line of the A and B Zone.

Ald. Seiser would like to know if an event would occur at this location, how long would it take to get to well #5?

Ray Schmidt said the time of travel of a potential spill at this location to well #5 would be approximately six to eight months. Time of travel to the well on the north side of Highway 10 would be about one year.

Ald. Seiser asked if well #5 became contaminated, how much would it cost for a new well?

Director Disher said it would cost approximately \$800,000.

Ald. Seiser knows this well is not used all the time. Could the City be without this well if it became contaminated?

Director Disher responded yes, well #5 is only used every four to five weeks.

Ald. Seiser said when a property is grandfathered in and changes are to occur, the uses should be limited to the city's current requirements.

Director Gardner said the gas station will continue to operate as is even if the upgrades are not permitted.

Ald. Rackow also feels the gas station will remain in business whether the request is approved or not. The potential hazards will continue and possibly get worse as the equipment ages.

Ald. Walther supports the upgrade of the gas station.

Ald. Markham encouraged revisions to the current ordinance.

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

Nays: Ald. Seiser.

Ayes - 10. Nays - 1. Motion carried.

13. Public hearing - request of Cooper Oil, 4928 Main Street, to operate a car wash, as a Conditional Use, was declared open by the Mayor.

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

14. Resolution on the above.

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

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

Nays: None. Motion carried.

15. Public hearing - request of Mark Erwin, 533 Second Street North, to construct an apartment building, as a Conditional Use, was declared open by the Mayor.

Cathy Dugan, 615 Sommers Street, would like the Council to think twice about allowing more apartment complexes in this area of the city. Stevens Point has approximately 50% of its population renting. The more apartment complexes there are in one area the less family friendly the area becomes. There is also much less green space which changes the character of the neighborhood.

Mark Erwin, 533 Second Street North, lives in a single family home with his family. Mr. Erwin feels the apartment works well and will be a good addition to the area.

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

16. Resolution on the above.

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

Ald. Rackow feels this is a good use for this area.

Ald. Phillips thinks the City is always rezoning. There are always a lot of apartments for rent in the City.

Ald. Molski said the developers would not build the apartments if they do not have the market to rent them.

Mayor Wescott asked if there is any provision under the law to deny the request based on the fact that there is a belief there are too many apartments in the City?

Director Gardner said that would not be a basis for denying a conditional use.

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

Nays: Ald. Seiser, Phillips.

Ayes - 9. Nays 2. Motion carried.

17. Joint City Plan Commission and Board of Public Works meeting of May 12, 2003.

Brian Doudna, Executive Director of the Portage County Business Council, provided context to the City Council on where the opening of the east end of Main Street originated. In 2000-2001, it was a joint initiative between the City and the Business Council called the Downtown Directional Study. Consultants were brought in from all around the United States to really look at the interest structure needs of the downtown. As part of this analysis, the framework for future development was created. The Downtown Directional Study provides the City an incremental approach to downtown development. It was made certain that the Downtown Directional Study had public support and met the public needs of the community. Tonight's proposal is one step to make the downtown development occur.

Carrie Butt, owner of DivePoint, stated the downtown businesses need the east end of Main Street restored to its original route. The downtown businesses need better access to their stores. Many businesses downtown are specialty shops so many of the customers are from out of the area. Mrs. Butt said the local customers would also like easier access to the downtown.

Mari Boris is representing Gaudencia Worzalla who is the owner of the Castle at 1416 Main Street. Ms. Boris wants to know if the Historical Society has taken any steps to determine the opening of the cul-de-sac's impact on this property which is a historical site. Ms. Boris is asking to delay the vote on this project until further studies can be conducted on the sound impact, air quality, etc., for this site.

Irene Taves, CenterPoint MarketPlace, served on the Downtown Task Force. The Dial Company who are the owners of the CenterPoint MarketPlace strongly feel the City needs to move forward opening the east end of Main Street. The opening of the east end of Main Street will increase the traffic flow downtown. The City needs to make it as easy as possible for customers to reach the downtown.

Nikki Phillips, CenterPoint MarketPlace, as well as the merchants downtown are in favor of restoring and opening the east end of Main Street.

Ron Blaha, co-owner of Play N Learn, stated there are 170 businesses and organizations downtown. It is important to support local businesses because a lot of that money stays in Stevens Point. A lot of the customers of the downtown businesses are from out of the state and have a hard time locating the downtown.

Ald. Phillips moved, Ald. Moore seconded, for approval of the Joint City Plan Commission and Board of Public Works minutes of May 12, 2003.

Ald. Seiser noted she would like to see better signage identifying the downtown.

Ald. Sevenich stated the downtown business owners are striving hard to make their businesses work. The City needs to support the downtown businesses by opening of the east end of Main Street.

Ald. Rackow is in favor of this project but the through traffic should remain on CenterPoint Drive.

Ald. Walther is in support of opening the east end of Main Street.

Mayor Wescott said new park benches will be added downtown as well as the bus plaza downtown will be rebuilt this year.

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

Nays: None. Motion carried.

18. Public Protection Committee meeting of May 12, 2003.

Ald. Sevenich moved, Ald. Sowieja seconded, for approval of the Public Protection Committee minutes of May 12, 2003.

Roll Call: Ayes all.

Nays none. Motion carried.

19. Board of Public Works meeting of May 12, 2003.

Ald. Seiser moved, Ald. Sevenich seconded, for approval of the Board of Public Works minutes of May 12, 2003.

Ald. Seiser noted there are two possible options for the parking lot for the south side business construction project. Of the two parking lot options, the alderperson prefers the option with more green space.

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

Nays: None. Motion carried.

20. Ordinance Traffic:
No Parking Here to Corner.
9.05(j) 108. On the east side of Illinois Avenue from a point 15 feet north of Main Street to the intersection of Illinois Avenue and Main Street.
Stop Sign.
9.06(a) 739. Westbound on Doolittle Drive at the intersection of Wilshire Boulevard.

Ald. Phillips 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.

21. Public hearing - replacement of sanitary sewer laterals and/or water services and/or storm sewer laterals for properties fronting upon both sides of Ellis Street from Clark Street to Pine Street, was declared open by the Mayor.

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

22. Final Resolution on the above.

Ald. Molski 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.

23. Special Board of Public Works meeting of May 19, 2003.

Clerk Zdroik read the minutes of the Special Board of Public Works meeting of May 19, 2003.

Ald. Seiser moved, Ald. Phillips seconded, for approval of the Special Board of Public Works minutes of May 19, 2003.

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

24. Finance Committee meeting of May 12, 2003.

Ald. Barr moved, Ald. Sowieja seconded, for approval of the Finance Committee minutes of May 12, 2003.

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

25. Special Finance Committee meeting of May 19, 2003.

Clerk Zdroik read the minutes of the Special Finance Committee meeting of May 19, 2003.

Ald. Molski moved, Ald. Walther seconded, for approval of the Special Finance Committee minutes of May 19, 2003.

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

26. Board of Park Commissioners meeting of May 6, 2003.

Ald. Phillips moved, Ald. Sevenich seconded, for approval of the Board of Park Commissioners minutes of May 6, 2003.

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

27. Board of Water and Sewage Commissioners meeting of May 12, 2003.

Ald. Seiser moved, Ald. Moore seconded, for approval of the Board of Water and Sewage Commissioners minutes of May 12, 2003.

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

28. Reports:
Police and Fire Commission meeting of May 13, 2003.
Comptroller-Treasurer's report - March 2003.
Transportation Commission meeting of April 22, 2003.

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

Ald. Sevenich asked what the revenue and ridership level will be for the summer?

Director Gardner said the ridership is not as heavy student oriented as you might think it to be. The Director feels the ridership should remain similar to the past summers.

Ald. Rackow said the Boys and Girls Club and the YMCA asked for special rates for the children to get to these locations. These two new initiatives will probably increase ridership. One of the motivating factors in each case was if the youths get familiar with the bus services while they

are young there is a greater chance they will use the services later in life.

Roll Call: Ayes all.

Nays none. Motion carried.

29. Mayor's appointments.

Board of Review -

Scott Halverson Alternate #1 3139 Dan's Drive

Dennis Nash Alternate #2 617 Sunset Boulevard

Historical Preservation/Design Review Commission -

Brian Doudna 3225 Martha's Lane

City Plan Commission -

Ann Shannon 5540 Oakwood Avenue

Ald. Molski moved, Ald. Phillips seconded, for confirmation of the Mayor's appointments.

Roll Call: Ayes all.

Nays none. Motion carried.

30. Parting comments from retiring Public Works Director Jon Van Alstine.

Mayor Wescott announced Director Van Alstine is retiring in early June after 27 years of service with the City of Stevens Point. The Mayor commented about Director Van Alstine's career, dedication, valuable advice, and professionalism.

Retiring Director Van Alstine said he has served the City for 27 years. The Director has worked with six different Mayors. The work has been extremely varied from the Michigan Avenue underpass to the extension of Patch Street and ending with the four phases of Highway 10 and the Lincoln Center project. Director Van Alstine enjoyed his career with the City.

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

None.

32. Adjournment - 8:45 P.M.

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