

Meeting Minutes

Regular City Council Meeting Minutes

November 17, 2003, 7:00P.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: City Attorney Molepske, City Clerk Zdroik, Directors Gardner, Schrader, Euclide; Police Chief Carpenter, Fire Chief Barnes, Transit Manager Lemke, Personnel Specialist Jakusz, 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 October 20, 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. Plan Commission meeting of November 3, 2003.
6. Public hearing - request of Jeremy Laska, 2301 Country Club Drive, to operate an auto repair business, as a Conditional Use.
7. Resolution on the above.
8. Public hearing - request of S. C. Swiderski LLC, 1200 Riverview Avenue, to construct apartments, as a Conditional Use.
9. Resolution on the above.
10. Preliminary Plat - Bernard Landerman - Bonnie Bay Road.
11. Public Protection Committee meeting of November 10, 2003.
12. Ordinance - amending subsections (2) and (3) of Section 12.21 - Snow Removal Operator.

13. Special Public Protection Committee meeting of November 17, 2003.
14. Board of Public Works meeting of November 10, 2003.
15. Finance Committee meeting of November 10, 2003.
16. Resolution - ordering an Assessor's Plat - Lots 3 & 4 - Horizon Estates.
17. Personnel Committee meeting of November 10, 2003.
18. Board of Parks Commissioners meeting of November 4, 2003.
19. Board of Water and Sewage Commissioners meetings of October 22, 2003, and November 10, 2003.
20. Reports: Police and Fire Commission meeting of November 11, 2003.
Comptroller-Treasurer's report - September 2003.
Report of Smongeski Health Fund - October 21, 2003.
Transportation Commission meeting of November 6, 2003.
21. Mayor's appointment -
University Sustainability Committee
Ald. Lynn Markham 1748 Briggs Street
22. Persons who wish to address the mayor and council for up to three (3) minutes on non-agenda item.
23. Adjournment.
 2. Salute to the flag and Mayor's opening remarks.

Mayor Wescott commented on the proposed concealed carried weapons bill in Wisconsin by the way the Wisconsin legislature crafted this measure. The legislature not only passed this law, they also passed on all of the costs to local governments creating yet another unfunded state mandate. The Wisconsin Sheriff and Deputy Sheriff Association is estimating the total statewide cost to be \$22.5 million. Another troubling component hidden within this legislation is a provision that keeps the names of those that apply a secret. The Mayor will write to Senator Lassa and State Representative Vruwink who both voted in favor of the concealed carried weapons bill and ask that they reconsider their vote.

Mayor Wescott announced the annual Christmas parade is on Thursday, November 20, 2003, starting at 6:00 p.m.

3. Approval of the minutes of the Regular Common Council meeting of October 20, 2003.

Ald. Walther moved, Ald. Seiser seconded, for approval of the regular Common Council minutes of October 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.

Norm Myers Item #22 - Persons who wish to address the Mayor and Council
416 Union Street
Stevens Point WI 54481

John Myers Item #22 - Persons who wish to address the Mayor and Council
1916 Strongs Avenue
Stevens Point WI 54481

Jody Szymanski Item #16 - Resolution ordering Assessor's Plat
Carriage Condominiums
Stevens Point WI 54481

Henry Danczyk Item #15 - Finance Committee meeting of November 10, 2003
135 Forest Street North
Stevens Point WI 54481

Jared Redfield Item #15 - Finance Committee meeting of November 10, 2003

5. Plan Commission meeting of November 3, 2003.

Ald. Phillips moved, Ald. Molski seconded, for approval of the Plan Commission minutes of November 3, 2003.

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

6. Public hearing - request of Jeremy Laska, 2301 Country Club Drive, to operate an auto repair business, as a Conditional Use, was declared open by the Mayor.

Jeremy Laska is the applicant of the request to operate an auto repair business at 2301 Country Club Drive. Mr. Laska is here to answer any questions.

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

7. Resolution on the above.

Ald. Sowieja moved, Ald. Stroik 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.

8. Public hearing - request of S. C. Swiderski LLC, 1200 Riverview Avenue, to construct apartments, as a Conditional Use, was declared open by the Mayor.

Val Omernik, 424 Riverview Avenue, believes the density of multiple family buildings in this area is getting out of hand. Mr. Omernik questioned where the drainage from this development will go. Mr. Omernik's two main concerns are the overpopulation in the area and the pollution.

Neal Nealis, 1734 Pine Street, is the listing real estate agent for the property on Riverview Avenue. The developer is willing to comply with all the requirements set by the Plan Commission. The development meets the current ordinance requirements.

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

9. Resolution on the above.

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

Ald. Seiser asked if the City will deal with the number of multi-family housing developments in the City at Comprehensive Planning.

Mayor Wescott said the land is properly zoned.

City Attorney Molepske said the land meets the criteria so it is properly zoned. Assuming there are not problems with traffic or any other problems, the City would be obligated to issue the conditional use permit.

Ald. Rackow noted this project will put this property back on the City's tax roll.

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

10. Preliminary Plat - Bernard Landerman - Bonnie Bay Road.

Ald. Barr moved, Ald. Phillips seconded, for approval of the preliminary plat - Bernard Landerman - Bonnie Bay Road.

Ald. Seiser is pleased with the 100' setback requirement from the water.

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

11. Public Protection Committee meeting of November 10, 2003.

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

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

12. Ordinance - amending subsections (2) and (3) of Section 12.21 - Snow Removal Operator.

Ald. Molski moved, Ald. Stroik 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.

13. Special Public Protection Committee meeting of November 17, 2003.

Ald. Seiser moved, Ald. Walther seconded, for approval of the Special Public Protection Committee minutes of November 17, 2003.

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

14. Board of Public Works meeting of November 10, 2003.

Ald. Molski moved, Ald. Sevenich seconded, for approval of the Board of Public Works minutes of November 10, 2003.

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

15. Finance Committee meeting of November 10, 2003.

Ald. Barr moved, Ald. Phillips seconded, for approval of the Finance Committee minutes of November 10, 2003, with item #6 and item #7 pulled for further discussion.

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

Jared Redfield said Mr. Danczyk's properties were taken over by Portage County. Mr. Danczyk has been in the rental business for most of his adult life. These buildings house people who ordinarily cannot afford facilities as provided by Mr. Danczyk. The properties are all fully paid for by Mr. Danczyk. Mr. Redfield discussed with the Portage County Corporation Counsel the possibility of the County reconsidering issuing the properties to Mr. Danczyk. Mr. Redfield asked the City Council to hold off on any action with respect to Mr. Danczyk's properties to allow time for the Portage County Board to reconsider.

Henry Danczyk stated these homes have been his whole life. Most of the tenants do not have a lot of money and at times have a hard time paying the rent. Mr. Danczyk has the money to pay for the taxes owed on these properties. He must work with the County so they can follow their proper procedures and possibly resolve this. Mr. Danczyk asked the Council to give him some time before the City purchases the properties. These homes are Mr. Danczyk's entire life's savings.

Mayor Wescott stated if the County does not sell the property, the City cannot buy the property. The City can only buy it if the County puts it on the market. All the Council is deciding tonight is if the County at some point puts the properties on the market, does the City wish to purchase the property? If the County reaches some type of resolution with Mr. Danczyk and does not put the property on the market, this is academic.

City Attorney Molepske said what the City is working with is a tax certificate that has been taken by Portage County. Mr. Danczyk did not pay his taxes for three years and eight months and as a result the County took the deed. The County now has title to the property. At the present time, Mr. Danczyk finds himself in the position that the time in the ordinance has gone by. The only way the former owner can obtain the property after the termination of the option period is through competitive public bidding. If the Council is interested the City will purchase the property. If Mr. Danczyk in the meantime can somehow change the ordinance to attempt to resolve this problem, the City then would not purchase the property.

Mayor Wescott said if the Council votes to purchase the property if the property is made available that a vote tonight does nothing one way or the other for Mr. Danczyk.

City Attorney Molepske stated it is still up to the County whether or not they are going to sell to the City or grant the former property owner time to repurchase it.

Ald. Barr asked when will the County act on this?

City Attorney Molepske said at this time, it is not on any County agenda. The City Attorney assumes a County Board member that voted in the nay would have to vote to reconsider this issue.

Ald. Rackow understands that when and if the property is available, the City would be first in line to purchase the property.

City Attorney Molepske said if Mr. Danczyk does not receive his property back through some procedure then the City would be willing to purchase it.

Ald. Phillips moved, Ald. Barr seconded, to approve the recommendation of the Finance Committee to purchase these properties from Portage County if the properties become available.

Roll Call: Ayes: Ald. Moore, Phillips, Stroik, Molski, Rackow, Barr, Seiser, Markham, Walther, Sevenich.
Nays: Ald. Sowieja.
Ayes - 10. Nays - 1. Motion carried.

16. Resolution - ordering an Assessor's Plat - Lots 3 & 4 - Horizon Estates.

City Attorney Molepske stated the City Assessor has indicated there are three or four parcels in the area that the boundaries of which no one is sure of. There are three or four different surveys which reflect different descriptions. In order to resolve the problem, the City has recommended that there be an assessor's plat which will set the boundaries. The City will hire an engineer to establish the boundary lines. The costs of this project would be assessed to the property owners.

Jody Szymanski said when she purchased her condo, she thought the boundaries had been all agreed on. Ms. Szymanski would like to know if the new development by Horizon Estates brought this all about again?

City Attorney Molepske stated what started this was the Assessor saying that she could not figure out what the legal descriptions were. One surveyor will complete the entire survey.

Jody Szymanski asked if she will get a copy of the survey?

City Attorney Molepske replied she sure will. The property owners have the right to object to it and the City would have to go back and take another look.

Ald. Phillips asked who built the condos and apartments? The builder must have gone by some type of lot layout.

City Attorney Molepske believes there were three separate developers in which each had a different survey.

Ald. Seiser moved, Ald. Phillips 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.

17. Personnel Committee meeting of November 10, 2003.

Ald. Rackow moved, Ald. Molski seconded, for approval of the Personnel Committee minutes of November 10, 2003.

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

18. Board of Parks Commissioners meeting of November 4, 2003.

Ald. Seiser moved, Ald. Sevenich seconded, for approval of the Board of Parks Commissioners minutes of November 4, 2003.

Ald. Seiser commented on the process of the Board of Park Commissioners updating the outdoor park plan. The alderperson is concerned that improving the City garage in Bukolt Park would be money misspent. The alderperson is also concerned with the homes along the 200 and 300 blocks of Franklin Street being scheduled in the river front plan to be removed to extend the park. Some of the residents of this area feel very strongly that these homes should not be removed.

Mayor Wescott stressed the homes would only be removed if there is a willing seller. If there is never a willing seller, the home or homes would remain where they are.

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

19. Board of Water and Sewage Commissioners meetings of October 22, 2003, and November 10, 2003.

Ald. Molski moved, Ald. Phillips seconded, for approval of the Board of Water and Sewage Commissioners minutes of October 22, 2003, and November 10, 2003.

Ald. Phillips would like clarification on the promotion of Kim to Director of Water and Wastewater. If the alderman votes to approve the minutes, is he approving Kim's appointment?

City Attorney Molepske replied, no. The Board of Water and Sewage Commissioners are advisory in nature only. The position is a directorship that the Mayor makes the appointment. The Council makes the confirmation of the Mayor's appointment.

Mayor Wescott had already instructed Personnel to publicly post and advertise for the position.

Ald. Seiser is concerned the minutes of the October 22, 2003 Board of Water and Sewage Commissioners meeting only mentioned Kim's first name.

Mayor Wescott already pointed this out to the secretary of the Board of Water and Sewage Commissioners. Kim's last name is Halverson.

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

20. Reports:
Police and Fire Commission meeting of November 11, 2003.
Comptroller-Treasurer's report - September 2003.
Report of Smongeski Health Fund - October 21, 2003.
Transportation Commission meeting of November 6, 2003.

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

Ald. Walther said one of the recommendations of the TDP is to create a U-pass system to work with the university. The university students fund the transportation system to create a special university route. Currently, the City does not have the system in place. Ald. Walther and Transit Manager Lemke have been working with the student government to set the costs and ideas about how to accomplish this. The university will make the decision on what type of services they want. The late evening bus service is just an exploratory idea at this time.

Mayor Wescott asked when the U-pass system will be implemented?

Ald. Walther replied he is not sure where the student government is at working on their 2004 budget. The U-pass system is planned to be implemented as soon as the university approves their funding.

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

21. Mayor's appointment -
University Sustainability Committee

Ald. Lynn Markham 1748 Briggs Street

Ald. Molski moved, Ald. Seiser seconded, for confirmation of the Mayor's appointment.

Roll Call: Ayes all.

Nays none. Motion carried.

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

Norm Myers, 416 Union Street, stated he delivered a petition to the City Clerk's office signed by over 1100 people that are concerned about the construction of the business triangle on the south side of the City.

Mayor Wescott noted the City is waiting for a demolition permit from the state of Wisconsin before the actual demolition can take place.

Director Euclide stated he is expecting the permit from the state by the end of the week.

Mayor Wescott said once the permit is obtained and weather is permitting, it will not take months to demolish.

Director Euclide said the demolition will start on Monday if the permit from the state is received.

Mayor Wescott recalled he had already met with Mr. Myers and a couple of other business owners and already resolved some of Mr. Myers' issues.

John Myers voiced his concerns and frustrations in regards to the south side project. The original committee's motto was to do it right. The Mayor says great things are happening downtown and with some changes the proposed right-of-way could be a major improvement for the south side.

Mayor Wescott reported after consultation with Ald. Phillips and Ald. Sowieja, both agreed that a second Citizen Advisory Committee would be **formed to address some of the issues. The first Citizens Advisory Committee was formed about 7 ½ years ago. This committee led the community,** Department of Transportation and the designers to the recommendations that were approved by the City Council during a series of special meetings and public hearings. The Mayor has agreed to form a second committee most likely after the first of the year.

Ald. Sowieja said when it came to decisions based on the plan for the south side project, he feels he was misled in the respect that he thought it was a concept and would have the opportunity to change things. After numerous talks with DOT, the alderman is now under the presumption that the concept is a final plan.

Mayor Wescott stated that certain issues regarding traffic signals and turn movements are all issues that will continue to be discussed. It is very clear that this is the plan that the City is working on.

23. Adjournment - 8:10 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