

Meeting Minutes

REGULAR COUNCIL MEETING

Council Chambers, County-City Building

February 18, 2002, 7:00P.M.

Mayor Gary W. Wescott, presiding

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

Also Present: City Attorney Molepske, City Clerk Zdroik, Directors Van Alstine, Gardner, Schrader, Disher; Police Chief Carpenter, Fire Chief Barnes, Assessor Kuehn, Portage County Personnel Director Freiberg, Personnel Specialist Jakusz, Administrative Assistant Molepske, Kari Yenter, Paul Chronis (Journal)

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 January 21, 2002.
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. Resolution opposing Governor McCallum's proposal to eliminate the Shared Revenue Program.
6. Plan Commission meeting of February 4, 2002.
7. Public hearing - amending the zoning ordinance which would classify property located at 2116 Patch Street as "R-2" Single Family Zoning from "M-2" Heavy Industrial Zoning, was declared open by the Mayor.
8. Ordinance on the above.
9. Public hearing - request of Bonnie Zawislaws, 3616 Doolittle Drive, to construct a multiple family development as a Conditional Use, was declared open by the Mayor.
10. Resolution on the above.
11. Public hearing - request of Lamar Advertising, 1601 Sixth Avenue, to locate an off-premise sign as a Conditional Use, was declared open by the Mayor.
12. Resolution on the above.
13. Resolution approving the Preliminary Plat of the Second Addition to Heffron Woods.

14. Public Protection Committee meeting of February 11.
15. Ordinance amending Chapter 12, Section 12.14, Intoxicating Liquor and Fermented Malt Beverage.
16. Board of Public Works meeting of February 11.
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21. Ratification of the 2001-2002 Tentative Agreement with the AFSCME Local 309 - Streets and Parks Departments.
22. Board of Park Commissioners meeting of February 4.
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24. Joint City Plan Commission and Board of Park Commissioners meeting of February 4, 2002.
25. Public hearing - request of Mid-State Technical College, 933 Michigan Avenue, to construct an addition to the Technical College as a Conditional Use, was declared open by the Mayor.
26. Resolution on the above.
27. Reports
28. Persons who wish to address the mayor and council for up to three (3) minutes on non-agenda item, and time strictly enforced.
29. Adjournment - 8:25 P.M.

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

Mayor Wescott reminded everyone of the Primary Election taking place tomorrow. A number of candidates on the ballot are seeking to be a part of the Board of Education. The Mayor encouraged everyone to vote tomorrow.

Mayor Wescott listed a number of projects continuing in the City. The Mayor stated telecommunications negotiations for a franchise agreement are continuing. The City of Stevens Point, partnering with Portage County, continue to work on the Lincoln Center project. The Downtown Task Force continues to work in preparing recommendations for the City Council and the Association of Downtown Businesses. Work also continues on the Comprehensive Master Plan for Portage County.

Mayor Wescott announced for the 21st time in the history of the City, Stevens Point is the recipient of the Tree City USA award.

3. Approval of the minutes of the Regular Common Council meeting of January 21, 2002.

Ald. Rackow moved, Ald. Molski seconded, for approval of the Regular Common Council minutes of January 21, 2002.

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.

Jeffrey Murphy Item #13 - Resolution-Preliminary Plat-Second
638 Woodland Circle Addition to Heffron Woods
Waupaca, WI 54981

Ed Hunt Item #15 - Ordinance amending Chapter 12,
2317 Prais Street Intoxicating Liquor and Fermented Malt
Stevens Point, WI 54481 Beverage

Kyle Alexander Item #13 - Resolution-Preliminary Plat-Second
1748 Dixon Street Addition to Heffron Woods
Stevens Point, WI 54481

Carol Garski Item #15 - Ordinance amending Chapter 12,
200 Isadore Street Intoxicating Liquor and Fermented Malt
Stevens Point, WI 54481 Beverage

Diana Orlikowski Item #13 - Resolution - Preliminary Plat-Second
4609 Heffron Street Addition to Heffron Woods
Stevens Point, WI 54481

Deb Knipple Item #15 - Ordinance amending Chapter 12,
611 Soo Marie Avenue Intoxicating Liquor and Fermented Malt
Stevens Point, WI 54481 Beverage

Lance Stampfli Item #13 - Resolution - Preliminary Plat-Second
4617 Heffron Street Addition to Heffron Woods
Stevens Point, WI 54481

Jody Ogle Item #13 - Resolution - Preliminary Plat-Second
3101 Lampman Drive Addition to Heffron Woods
Stevens Point, WI 54481

Mark Trebatoski Item #13 - Resolution - Preliminary Plat-Second
5373 Highway 10 East Addition to Heffron Woods
Stevens Point, WI 54481

Rex Ameigh Item #13 - Resolution - Preliminary Plat-Second
3008 McCulloch Street Addition to Heffron Woods
Stevens Point, WI 54481

William Kesler Item #14 - Public Protection Committee meeting of
801 Mason Street February 11, 2002
Stevens Point, WI 54481

Patti Bella Item #13 - Resolution - Preliminary Plat-Second
3016 Lampman Drive Addition to Heffron Woods
Stevens Point, WI 54481

5. Resolution opposing Governor McCallum's proposal to eliminate the Shared Revenue Program.

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

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

6. Plan Commission meeting of February 4, 2002.

Ald. Rackow moved, Ald. Phillips seconded, for approval of the Plan Commission minutes of February 4, 2002.

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

7. Public hearing - amending the zoning ordinance which would classify property located at 2116 Patch Street as "R-2" Single Family Zoning from "M-2" Heavy Industrial Zoning, was declared open by the Mayor.

Shirley Liss of Parker Realtors, stated the reason for the rezoning request is the buyers of this property are not able to obtain financing for the property with the current zoning.

Mayor Wescott declared the public hearing closed.

8. Ordinance on the above.

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

Ald. Sowieja hopes further down the line when someone wishes to develop this property for industrial purposes, the City will not object because most of this area is zoned industrial.

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

9. Public hearing - request of Bonnie Zawislaws, 3616 Doolittle Drive, to construct a multiple family development as a Conditional Use, was declared open by the Mayor.

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

10. Resolution on the above.

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

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

11. Public hearing - request of Lamar Advertising, 1601 Sixth Avenue, to locate an off-premise sign as a Conditional Use, was declared open by the Mayor.

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

12. Resolution on the above.

Ald. Rackow moved, Ald. Sevenich seconded, to reject the resolution.

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

13. Resolution approving the Preliminary Plat of the Second Addition to Heffron Woods.

Jeffrey Murphy distributed pictures that the developers proposed for this subdivision. Mr. Murphy understands the neighbors are concerned with the development of duplexes and what this development will do to their property value. At the present time, the remainder of land east of Lampman Drive is located in the Town of Plover and zoned commercial. The developers feel using two rows of zero lot line duplexes as a buffer between the single family homes and the area that will most likely be developed with professional buildings or apartment buildings would be consistent with the future development.

Mayor Wescott noted the City Plan Commission had recommended ten single family lots would be created on the west side of the proposed future street and two family lots would be created on the east side of the proposed future street.

Kyle Alexander, 1748 Dixon Street, is in the process of building a home on Lampman Drive. Mr. Alexander was not aware the developers had plans to develop duplexes in this area. He is concerned with the valuation of the homes in the area. Mr. Alexander does not see any hardship reason for the land to be rezoned to develop duplexes.

Mayor Wescott asked if Mr. Alexander is an advocate for single family lots also on the east side of the proposed future street?

Mr. Alexander would be in favor of single family lots also on the east side of the proposed future street.

Diana Orlikowski, 4609 Heffron Street, believes the east side of the proposed future street should also be single family homes. Ms. Orlikowski is concerned with the width of the lots for a zero lot line. It does not allow for green area. Mixing single family with multifamily housing will have an affect on the existing single family homes in the area.

Lance Stampfli, 4617 Heffron Street, agrees the property to the east of the proposed future street should be single family. Mr. Stampfli noted when Mr. Murphy said the area east of Lampman Drive is all commercial is not true. The future street is currently "R-2" or "R-1" zoning. Mr. Stampfli is not sure multifamily zoning will advance the sale of the lots.

Jody Ogle, 3101 Lampman Drive, agrees with the statements of his neighbors. Mr. Ogle is also concerned the development will devalue his property.

Mark Trebatoski, 5373 Highway 10 East, would like to see this property remain single family for the protection of the existing properties.

Rex Ameigh of Parker Realtors, is concerned what the development of duplexes would do to the value of the existing very nice homes in the area.

Patti Bella, 3016 Lampman Drive, echoed her neighbors' concerns for the change in the zoning. Ms. Bella feels there are plenty of units available in the City so there is no need to develop duplexes in this area.

Ald. Barr moved, Ald. Filipiak seconded, to reject the resolution.

Ald. Filipiak stated the reason for his desire to reject the resolution is to protect the trees, open space and park land.

Ald. Seiser suggested in the future to have garages recessed from the street front of the buildings.

Mayor Wescott explained by rejecting the resolution, the zoning would remain in place.

Ald. Sowieja asked what type of buildings could possibly be developed along Hoover Avenue?

Director Gardner said the type of buildings that would be allowed under industrial zoning are offices, commercial and light industrial.

Ald. Sowieja asked what types of commercial buildings?

Director Gardner said that would include retail establishment and offices.

Ald. Sowieja asked if someone proposes a zero lot line, is that what would have to be built there?

Director Gardner stated the zoning does not control the ownership. The zoning controls the density and where the building sits on the lot. The ownership is controlled by the owner.

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

Nays: Ald. Sowieja.
Ayes - 9. Nays - 1. Motion carried.
Ald. Nealis abstained.

14. Public Protection Committee meeting of February 11, 2002.

Ald. Molski moved, Ald. Walther seconded, for approval of the Public Protection Committee minutes of February 11, 2002, with the rejection of operator/bartender's license for William Lee Kesler pulled for further discussion.

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

Ald. Phillips reminded the Council members that every operator/bartender applicant is given a list of rules for rejection in which the applicant reads and signs when applying for the license. The alderman does not stand for the fact that Mr. Kesler forgot a violation which occurred two years ago.

Ald. Sevenich said Mr. Kesler can still work, he just will not get promoted.

Ald. Sevenich moved, Ald. Phillips seconded, to deny the operator's (bartender's) license application for William Lee Kesler.

Ald. Sowieja would like the wording "license application shall be cause for denial of such license" explained. Does this mean an absolute denial?

City Attorney Molepske said yes, that is what it means.

Ald. Sowieja asked why is the Public Protection Committee and Council having to vote on this issue. Why are they not just denied?

City Attorney Molepske explained that the Clerk or any other individual does not have the absolute authority to make that determination.

William Kesler, applicant, cannot work without a license. When Mr. Kesler's supervisor is away he must be able to sell alcohol. While working alone, Mr. Kesler also needs to close the store.

Roll Call: Ayes: Ald. Sevenich, Barr, Rackow, Phillips.
Nays: Ald. Walther, Filipiak, Seiser, Sowieja, Molski, Nealis, Moore.
Ayes - 4. Nays - 7. Motion failed.

Ald. Filipiak moved, Ald. Seiser seconded, to approve the operator's (bartender's) license application for William Lee Kesler.

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

15. Ordinance amending Chapter 12, Section 12.14, Intoxicating Liquor and Fermented Malt Beverage.

Ed Hunt agrees with the fact that the licensees must obtain a separate authorization for each date on which underage persons will be present on the premises.

City Attorney Molepske said when the individual makes an application with multiple dates that is fine. The Police Department will then determine whether or not all the criteria stated in the ordinance are met. If all the criteria is met, the Police Department will grant authorization for the event.

Ed Hunt asked if it is normal that an ordinance be written if only one business has made a request to the Council or have more businesses made this request? Is there data gathered from surveys from 18 to 20-year olds in this community that would tell us they do not have enough things to do in the evenings?

Carol Garski, 200 Isadore Street, feels adults of this age should be able to make their own decisions. If the ordinance is followed, there will not be any problems.

Deb Knipple, 611 Soo Marie Avenue, said the ordinance addresses some very important issues and should be adopted keeping the wording of the ordinance as it is.

Ald. Nealis views the request as having a place for these individuals to go where alcohol is not served.

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

Ald. Sowieja asked upon the sunset date of February 28, 2003, will it automatically return before the Council?

City Attorney Molepske replied no, it does not.

Ald. Sowieja asked will someone have to bring the issue back up?

City Attorney Molepske said someone will have to request it again.

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

16. Board of Public Works meeting of February 11, 2002.

Ald. Walther moved, Ald. Molski seconded, for approval of the Board of Public Works minutes of February 11, 2002, with item #4 pulled for further discussion.

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

Ald. Seiser stressed that as the City works on the boulevards, we need to think about the future plantings so they will look good.

Ald. Barr moved, Ald. Molski seconded, to approve item #4 - Highway 10 design-Lindbergh Avenue to Maple Bluff Road as presented in the Board of Public Works minutes of February 11, 2002.

Ald. Filipiak pointed out how nicely the native prairie area by the Buzza Law Office on Hoover Avenue looks.

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

Nays: Ald. Filipiak.

Ayes - 10. Nays - 1. Motion carried.

17. Ordinance - Traffic.

Install stop signs:

9.06(a) 733. South on Schiller Drive at Old Highway 18.

734. West on LaSalle Avenue at Schiller Drive.

735. South on Halstad Avenue at LaSalle Avenue.

736. South on Prescott Avenue at LaSalle Avenue.

Install stop signs:

9.06 (a) 665. North and southbound on Water Street at Wisconsin Street.

Install traffic control signals:

9.03(b) 28. Intersection of Brilowski Road and Lands' End Way.

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

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

Nays: None. Motion carried.

18. Finance Committee meeting of February 11, 2002.

Ald. Barr moved, Ald. Seiser seconded, for approval of the Finance Committee minutes of February 11, 2002.

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

Nays: None. Motion carried.

19. Resolution - Transfer of Funds.

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

Ald. Sowieja asked if all these funds are already committed?

Mayor Wescott said these were projects or programs that were funded in 2001 budget.

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

Nays: None. Motion carried.

20. Personnel Committee meeting of February 11, 2002.

Ald. Rackow moved, Ald. Filipiak seconded, for approval of the Personnel Committee minutes of February 11, 2002.

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

Nays: None. Motion carried.

21. Ratification of the 2001-2002 Tentative Agreement with the AFSCME Local 309 - Streets and Parks Departments.

Ald. Rackow moved, Ald. Moore seconded, to ratify the 2001-2002 Tentative Agreement with the AFSCME Local 309 - Streets and Parks Departments.

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

Nays: None. Motion carried.

22. Board of Park Commissioners meeting of February 4, 2002.

Ald. Seiser moved, Ald. Molski seconded, for approval of the Board of Park Commissioners minutes of February 4, 2002.

Roll Call: Ayes all.

Nays none. Motion carried.

23. Board of Water and Sewage Commissioners meeting of February 11, 2002.

Ald. Sevenich moved, Ald. Moore seconded, for approval of the Board of Water and Sewage Commissioners minutes of February 11, 2002.

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

Nays: None. Motion carried.

24. Joint City Plan Commission and Board of Park Commissioners meeting of February 4, 2002.

Ald. Rackow moved, Ald. Molski seconded, for approval of the Joint City Plan Commission and Board of Park Commissioners minutes of February 4, 2002.

Roll Call: Ayes all.

Nays none. Motion carried.

25. Public hearing - request of Mid-State Technical College, 933 Michigan Avenue, to construct an addition to the Technical College as a Conditional Use, was declared open by the Mayor.

Cathy Dugan, 615 Sommers Street, was a faculty member at Mid-State Technical College. She understands the need for more space. Ms. Dugan urged the Council members to reconsider allowing an expansion to the current building. She would like to see MSTC expand in Stevens Point in a different way. Ms. Dugan pointed out Emerson School and Nelson Hall as a couple of additional sites for Mid-State Technical College to expand classroom space.

Mayor Wescott declared the public hearing closed.

26. Resolution on the above.

Ald. Walther stated Mid-State Technical College has been a good neighbor. The alderman has concerns about the parking situation around the Technical College. A comment the alderman did receive is this is just a "Band-Aid" solution. The current lease agreement between MSTC and the City of Stevens Point is good until year 2016. The alderman understands if the lease is not renewed the building would become City property. There are too many questions at the moment for the alderman to approve the resolution.

Ald. Seiser supports Mid-State Technical College looking at both Nelson Hall and Emerson School as possible locations for the Technical College to expand. The alderperson would like Mid-State to do some good planning. Planning that would include partnerships using some of the older buildings. Ald. Seiser supports the expansion. The alderperson suggests the Technical College come up with a good expansion project with consideration of energy conservation in this building as well as others.

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

Mayor Wescott added he wrote a letter offering the services of his office, city planners and city engineers to establish a partnership for long term strategic planning for the Technical School.

Ald. Filipiak does not think the future is the time to start looking at restructuring the building.

Mayor Wescott noted Mr. Clark reported at the joint meeting that he had dialog with university representatives concerning Nelson Hall and that option has been removed from the table at this time.

Steve Smith, Mid-State Technical College, said that is correct. The representatives of Mid-State Technical College are considering the future in developing the expansion plans.

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

Nays: Ald. Walther, Filipiak, Phillips.

Ayes - 8. Nays - 3. Motion carried.

27. Reports -

Comptroller-Treasurer's report - December 2001.

Police and Fire Commission meeting of February 12, 2002.

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

Roll Call: Ayes all.

Nays none. Motion carried.

28. Persons who wish to address the mayor and council for up to three (3) minutes on non-agenda item, and time strictly enforced.

None.

29. Adjournment - 8:25 P.M.

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