

Meeting Minutes

REGULAR COUNCIL MEETING

Council Chambers, County-City Building

May 20, 2002, 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, Assessor Kuehn, Transit Manager Lemke, Kari Yenter, Barb Martin (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 April 15, 2002, and Reorganization meeting of April 16, 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. Presentation by the 2002 Poppy Princess - Ashley Wheeler.
6. Plan Commission meeting of May 6, 2002.
7. Public hearing - request of Roger's Cinema to install a canopy at 2725 Church Street, as a Conditional Use.
8. Resolution on the above.
9. Public hearing - amending the zoning ordinance which would classify territory as "R-2" Single Family Zoning from "R-1" Suburban Single Family Zoning - 4223 Heffron Street.
10. Ordinance on the above.
11. Ordinance - Annexation - Carl & Jane Ostricki property located at 410 North Point Drive - 1.7 Acre site.
12. Public hearing - amending the zoning ordinance which would classify territory as "R-2" Single Family Zoning - 410 North Point Drive.
13. Ordinance on the above.
14. Resolution - Final Plat Hunter Oaks First Addition.
15. Public Protection Committee meeting of May 13, 2002.
16. Board of Public Works meeting of May 13, 2002.
17. Final Resolution - special assessment - sanitary sewer lateral - Carl & Jane Ostricki property located at 410 North Point Drive.
18. Finance Committee meeting of May 13, 2002.
19. Personnel Committee meeting of May 13, 2002.
20. Board of Park Commissioners meeting of May 1, 2002.
21. Board of Water and Sewage Commissioners meeting of May 10, 2002.
22. Telecommunications Commission meeting
23. Reports: Comptroller-Treasurer's report - March 2002.
Police and Fire Commission meeting of May 14, 2002.
24. Mayor's appointment: Transportation Commission - Richard Fossen.
25. Persons who wish to address the mayor and council for up to three (3) minutes on non-agenda item.
26. Adjournment.

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

Mayor Wescott announced the City of Stevens Point and Charter Communications have agreed to a new cable television franchise agreement. The franchise agreement is for a term of five years. A five-year franchise agreement will allow our community to reassess the state of all future technology and its local applications much sooner than if the City would have agreed to a longer contract. The agreement provides for a stronger support for our public, education and government television access system.

Mayor Wescott stated a special meeting of the City Council will take place on Tuesday, June 11, 2002, at 6:00 p.m. At this meeting, Attorney Brian Grogan will provide an in-depth review of the franchise agreement and regulatory ordinance for members of the City Council.

Tim Vowell, Charter Communications, is pleased to have reached this agreement with the City of Stevens Point to continue to provide state of the art cable services as well as new advanced services. Mr. Vowell stated Charter Communications looks forward to continuing to provide the technological needs, economical development and welfare of the central region of Wisconsin.

Mayor Wescott thanked the members of the Telecommunications Commission for all their hard work and long hours put into this franchise agreement.

Ald. Rackow thanked all who participated in helping to reach the franchise agreement.

3. Approval of the minutes of the Regular Common Council meeting of April 15, 2002, and Reorganization meeting of April 16, 2002.

Ald. Molski moved, Ald. Seiser seconded, for approval of the Regular Common Council minutes of April 15, 2002, and the Reorganization of the Common Council minutes of April 16, 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.

Bill Bayba Item #6 - Plan Commission meeting of May 6, 2002
3416 Teton Drive
Stevens Point, WI 54481

Greg Diemer Item #6 - Plan Commission meeting of May 6, 2002

UWSP - Assistant Chancellor
of Business Affairs

Ann Kulinski Item #6 - Plan Commission meeting of May 6, 2002
Carousel Candy Item #15 - Public Protection Committee meeting of
Stevens Point, WI 54481 May 13, 2002

Joe Elia Item #15 - Public Protection Committee meeting of
Joe Mama's May 13, 2002
Stevens Point, WI 54481

Mark Erwin Item #16 - Board of Public Works meeting of May
533 Second Street North 13, 2002
Stevens Point, WI 54481

Cecilia Searl Item #16 - Board of Public Works meeting of May
4751 Sunset Drive 13, 2002
Mosinee, WI

5. Presentation by the 2002 Poppy Princess - Ashley Wheeler.

Poppy Princess Ashley Wheeler thanked Mayor Wescott and the Council members for giving her the opportunity to speak this evening. The Poppy Princess recited a poem titled "In Flander's Field". Miss Wheeler reminded everyone May is National Poppy month.

6. Plan Commission meeting of May 6, 2002.

Ald. Rackow moved, Ald. Barr seconded, for approval of the Plan Commission minutes of May 6, 2002, with item #7 pulled for further discussion.

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

Ald. Seiser will vote against the request to draw attention to the fact the City needs to evaluate the development on the east side of the City.

Ald. Rackow moved, Ald. Molski seconded, to approve item #7 - Site Plan Review-Two Sites at Parkdale, Highway 10 East as presented.

Ald. Rackow noted the zoning and land use for this property was worked on between the City of Stevens Point and the Town of Hull. The proposed developments fit within the plan.

Ald. Walther asked what type of criteria would the Council need to reject this request?

City Attorney Molepske stated the Council would need to determine mainly problems with traffic flow and alignment.

Ann Kulinski asked why build additional strip malls when the City already has space available in the current malls?

Director Gardner noted the Community Development Office, Engineering, Police, and Fire Departments all reviewed the circulation plans and have found them to be acceptable.

Roll Call: Ayes: Ald. Moore, Phillips, Nealis, Molski, Rackow, Barr, Sowieja, Walther.
Nays: Ald. Seiser, Filipiak.
Ayes - 8. Nays - 2. Motion carried.

7. Public hearing - request of Roger's Cinema to install a canopy at 2725 Church Street, as a Conditional Use, was declared open by the Mayor.

Scott Koran of Rogers Cinema, presented an artist rendering of the proposed canopy for Roger's Cinema, 2725 Church Street.

Mayor Wescott declared the public hearing closed.

8. Resolution on the above.

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

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

9. Public hearing - amending the zoning ordinance which would classify territory as "R-2" Single Family Zoning from "R-1" Suburban Single Family Zoning - 4223 Heffron Street, was declared open by the Mayor.

Scott Dimler, 4223 Heffron Street, is available for any questions.

Mayor Wescott declared the public hearing closed.

10. Ordinance on the above.

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

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

11. Ordinance - Annexation - Carl & Jane Ostricki property located at 410 North Point Drive - 1.7 Acre site.

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

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

12. Public hearing - amending the zoning ordinance which would classify territory as "R-2" Single Family Zoning - 410 North Point Drive, was declared open by the Mayor.

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

13. Ordinance on the above.

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

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

14. Resolution - Final Plat Hunter Oaks First Addition.

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

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

Ald. Nealis abstained.
Ayes - 7. Nays - 2. Motion carried.

15. Public Protection Committee meeting of May 13, 2002.

Ald. Phillips moved, Ald. Sowieja seconded, for approval of the Public Protection Committee minutes of May 13, 2002, with item #6 pulled for further discussion.

Joe Elia opposes the selling of food on public roadways and sidewalks. Mr. Elia is concerned with the additional garbage the food cart sales will create in addition to safety issues.

A petition opposing the request to operate a food vending cart in the downtown area was submitted by Mr. Elia and placed on file.

Ann Kulinski stated the Association of Downtown Businesses strongly oppose the idea of any type of vending cart in the downtown area. It is not fair to the businesses that are paying personal property taxes, rent or property taxes.

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

Ald. Filipiak moved, Ald. Nealis seconded, to approve item #6 - Request to operate a food vending cart in the downtown area and a portion of Mead Park as presented.

Ald. Filipiak does not feel one hot dog cart will affect the current businesses.

Mayor Wescott asked would the current ordinance need to be amended before this request could occur?

City Attorney Molepske stated currently the City has an ordinance prohibiting the use of the right-of-way for food vending. The ordinance would have to be amended to allow food vending. The issues to be determined are will this cause a nuisance on the street, littering, or interfere with the pedestrian and traffic flow.

Mayor Wescott stated the City already has an ordinance prohibiting this practice. If the Council would vote in favor of this tonight, an amended ordinance allowing these sales would have to be presented next month.

Ald. Molski does not want to see numerous carts in the downtown area. If an ordinance is passed, is the City opening the doors to a number of carts in the downtown area?

City Attorney Molepske replied in general, yes.

Ald. Seiser is in favor of the food vending cart.

Ald. Barr said one of the concerns is that the food vending cart would impede traffic. The alderman wishes there was enough traffic in the downtown area to impede.

Ald. Filipiak is encouraged that the food vending cart is equipped with a broom and trash can for clean up.

Roll Call: Ayes: Ald. Filipiak, Seiser, Barr, Nealis, Phillips, Moore.
Nays: Ald. Walther, Sowieja, Rackow, Molski.
Ayes - 6. Nays - 4. Motion carried.

16. Board of Public Works meeting of May 13, 2002.

Ald. Seiser moved, Ald. Rackow seconded, for approval of the Board of Public Works minutes of May 13, 2002, with Item #1 and Item #6 pulled

for further discussion.

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

Item #1 - Add driveway for entrance to back of property at 533 Second Street North

Ald. Seiser was initially opposed to the request for a second driveway at 533 Second Street North. The alderperson was concerned what the future plans for this property were. After speaking with the property owner, the alderperson was assured all rules and requirements would be followed with any future plans for the property.

Mark Erwin, 533 Second Street North, was available for any questions.

Ald. Rackow moved, Ald. Moore seconded, to approve item #1 - Add driveway for entrance to back of property at 533 Second Street North as presented.

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

Item #6 - Request to install a strip of blacktop along alley - property at 1701-03 Michigan Avenue

Cecilia Searl, landlord of 1701-03 Michigan Avenue, does not want her tenants backing out into the alley as this is unsafe. Mrs. Searl would like the blacktop area horizontally so the tenants can just pull up and out safely. Currently, there is not enough parking for the tenants.

Ald. Seiser has the following environmental concerns: 1) more paving will create a hotter neighborhood, 2) problems with water run off, and 3) asphalt is unsightly.

Ald. Rackow moved, Ald. Nealis seconded, to approve item #6 - Request to install a strip of blacktop along alley - property at 1701-03 Michigan Avenue as presented.

Ald. Rackow said in this situation we have a landlord who wants to take care of their renters and is also willing to pay the cost for the asphalt.

Roll Call: Ayes: Ald. Walther, Filipiak, Sowieja, Barr, Rackow, Molski, Nealis, Phillips, Moore.
Nays: Ald. Seiser.
Ayes - 9. Nays - 1. Motion carried.

17. Final Resolution - special assessment - sanitary sewer lateral - Carl & Jane Ostricki property located at 410 North Point Drive.

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

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

18. Finance Committee meeting of May 13, 2002.

Ald. Barr moved, Ald. Moore seconded, for approval of the Finance Committee minutes of May 13, 2002.

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

19. Personnel Committee meeting of May 13, 2002.

Ald. Rackow moved, Ald. Molski seconded, for approval of the Personnel Committee minutes of May 13, 2002.

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

20. Board of Park Commissioners meeting May 1, 2002.

Ald. Molski moved, Ald. Nealis seconded, for approval of the Board of Park Commissioners minutes of May 1, 2002.

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

21. Board of Water and Sewage Commissioners meeting of May 10, 2002.

Ald. Seiser moved, Ald. Sowieja seconded, for approval of the Board of Water and Sewage Commissioners minutes of May 10, 2002.

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

22. Telecommunications Commission meeting of April 23, 2002.

Ald. Rackow moved, Ald. Phillips seconded, for approval of the Telecommunications Commission minutes of April 23, 2002.

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

23. Reports:

Comptroller-Treasurer's report - March 2002.

Police and Fire Commission meeting of May 14, 2002.

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

Roll Call: Ayes all.

Nays none. Motion carried.

24. Mayor's appointment:

Transportation Commission - Richard Fossen.

Ald. Rackow moved, Ald. Walther seconded, for confirmation of the Mayor's appointment.

Roll Call: Ayes all.

Nays none. Motion carried.

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

None.

26. Adjournment - 8:15 P.M.

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