

Meeting Minutes

REGULAR COUNCIL MEETING

Council Chambers, County-City Building

February 19, 2001, 7:00P.M.

Mayor Gary W. Wescott, presiding

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

Also Present: Comptroller-Treasurer Schlice, City Attorney Molepske, City Clerk Zdroik, Directors Van Alstine, Gardner, Schrader, Disher; Police

Chief Carpenter, Assessor Kuehn, Transit Manager Lemke, Personnel Specialist Jakusz, Portage County Personnel Director Freiberg

Administrative Assistant Marciniak, Intern Travis VanCamp, Kari Yenter, Susan Kampmeier (Journal), Larry Lee (WIZD), Gene Kemmeter (Portage County Gazette)

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

On this President's Day, Mayor Wescott honored all the past presidents.

3. Approval of minutes of the Regular Common Council meeting of January 15, 2001.

Ald. Rackow moved, Ald. Molski seconded, for approval of the regular Common Council minutes of January 15, 2001.

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.

John Brown Item #29 - Board of Park Commissioners
2306 College Avenue
Stevens Point WI 54481

Gary Baier Item #25 - Finance Committee meeting
336 Maple Bluff Road
Stevens Point WI 54481

Larry Lee Item #25 - Finance Committee meeting
2424 Bush Street
Stevens Point WI 54481

Reid Rocheleau Item #19 - Board of Public Works
Village of Whiting Item #25 - Finance Committee meeting
Item #34 - Persons who wish to address Mayor & Council

John Zellmer Item #11 - Resolution-Pedestrian Mall on East Avenue
1025 Jordan Road
Stevens Point WI 54481

Dan Mielke Item #19 - Board of Public Works
2550 County II
Rudolph WI 54475

5. Plan Commission meeting of February 5, 2001.

Ald. Rackow moved, Ald. Sevenich seconded, for approval of the Plan Commission minutes of February 5, 2001, with item #7 and item #2 pulled for further discussion.

Roll Call: Ayes all.

Nays none. Motion carried.

Ald. Nealis abstained from item #4 of the Plan Commission minutes of February 5, 2001.

Ald. Rackow moved, Ald. Barr seconded, that Glacier Hollow be permitted to install a sign not to exceed the size shown on Director Gardner's memo and if the sign is not installed by June 30, 2001, the sign will not be allowed.

Ald. Kedrowski asked Director Gardner if he is against this issue since it may set a precedence?

Director Gardner explained what the memo reads is that the first sign that is shown in the middle of the page is acceptable under the current language of the sign ordinance.

Ald. Kedrowski asked if the sign with all the different names is permitted?

Director Gardner stated it is permitted.

Ald. Kedrowski asked if the sign is desirable?

Director Gardner said the sign fits within the current sign ordinance.

Ald. Sevenich questioned the request by Shippy Shoes not that long ago who wanted to put a brand name of shoes on their sign and was denied. Is this a similar request?

Director Gardner believed the request from Shippy Shoes was to put up a larger sign than allowed under the current sign ordinance. The content of the sign was not in question.

Roll Call: Ayes: Ald. Walther, Pazdernik, Seiser, Barr, Rackow, Molski, Phillips, Moore.
Nays: Ald. Sevenich, Kedrowski, Nealis.
Ayes - 8. Nays - 3. Motion carried.

Item #2 - Zone Change for approximately 20 acres-SW corner DuBay/Reserve Street N

Ald. Kedrowski questioned whether the city has adequate sewer capacity to accommodate this development and will we have sufficient capacity for an additional 10 to 15 single family homes?

Director Van Alstine replied the City will have adequate sewer capacity.

Ald. Kedrowski asked if the water line will be adequate?

Director Van Alstine replied the water line is an 8" line which is the standard distribution main throughout the City.

Ald. Kedrowski asked if the water line will be adequate to handle the capacity to accommodate the development for this area?

Director Van Alstine answered, yes.

Director Disher agreed with Director Van Alstine.

Ald. Kedrowski asked who paid for the placement of the current line?

Director Van Alstine said the developers paid all the costs for the installation of the current sanitary sewer main.

Ald. Kedrowski asked if the other property owners where the water and sewer line passes their property can also hook up to the services?

Director Van Alstine said yes if the industrial usage did not exceed the capacity.

Ald. Kedrowski asked what would be the cost to the other property owners who may want to hook up to these services?

Director Van Alstine said he would have to determine the consumption costs and prorate the construction costs to determine a cost per unit.

Ald. Kedrowski is concerned the 20 acre development will use up all the capacity that is currently in place. With the current policy, in the future if the city has to increase that capacity this developer is free and clear of paying any further costs.

Director Van Alstine replied with the current policy, yes.

Ald. Kedrowski would like to add that at such time the current sanitary sewer main serving this site is incapable of serving any future annexed area, this development would be subject to additional costs of the replacement or installation of the new sanitary sewer line.

City Attorney Molepske stated Ald. Kedrowski's suggestion can be added as a condition of the ordinance.

Mayor Wescott asked Director Van Alstine to explain the differences in the sizes and types of main line systems.

Director Van Alstine explained the different sanitary sewer main systems.

Mayor Wescott asked if a larger pipe would be more problematic?

Director Van Alstine said this pipe is too large for this area without the proposed development.

Mayor Wescott wants the council to be confident the correct decision was made when the sanitary sewer was installed.

Ald. Rackow moved, Ald. Pazdernik seconded, for approval of the zone change for approximately 20 acres - SW corner DuBay/Reserve Street N from "R-LD" Low Density to "PD" Planned Unit Development with the rider that in the future when the sewer line has to be increased, the developer has to pay a percent of the cost.

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

6. Public Hearing - amending the Zoning Ordinance classifying territory as Planned Unit Development Zoning from "R-LD" Low Density Zoning - SW corner of DuBay Avenue and Reserve Street North, was declared open by the Mayor.

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

7. Ordinance on the above.

Ald. Kedrowski moved, Ald. Seiser seconded, that at such time as the current sanitary sewer main serving this site is incapable of serving any future annexed area, this site may be subject to a special assessment for the replacement or installation of a new sanitary sewer line.

Mayor Wescott said this language can be accepted but it is the decision of the Council at such time the current sanitary sewer main is incapable of serving this area whether the special assessment is levied.

Ald. Phillips does not feel it is fair to the developer as the developer has already paid for the current sanitary sewer main.

Ald. Kedrowski stated all property owners should share the costs for the sanitary sewer main.

Roll Call: Ayes: Ald. Sevenich, Pazdernik, Seiser, Kedrowski, Rackow, Molski.

Nays: Ald. Walther, Barr, Nealis, Phillips, Moore.
Ayes - 6. Nays - 5. Motion carried.

Ald. Rackow moved, Ald. Kedrowski seconded, to approve the ordinance as amended.

Roll Call: Ayes: Ald. Molski, Rackow, Kedrowski, Seiser, Pazdernik, Sevenich.
Nays: Ald. Moore, Phillips, Nealis, Barr, Walther.
Ayes - 6. Nays - 5. Motion carried.

8. Public Hearing - amending the Zoning Ordinance classifying territory as "B-4" Commercial Zoning from "M-1" Light Industrial Zoning - Reserve Street North between DuBay Avenue and I-39, was declared open by the Mayor.

David Sowieja, one of the property owners, read a brief letter. A copy of the letter is attached and placed on record.

Mayor Wescott declared the public hearing closed.

9. Ordinance on the above.

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

Ald. Kedrowski sought advice on the request of Mr. Sowieja for the City to supply trees necessary for the buffer that the conditional use permit will require.

Mayor Wescott stated no site plan has been submitted so you can not issue conditions to a site plan the City does not have.

Ald. Kedrowski asked would a site plan that meets the zoning requirements have go to the Plan Commission?

Director Gardner said if the developer proposes a plan with a conditional use, the site plan would have to be approved by the Common Council.

Ald. Kedrowski asked if a site plan is submitted that meets the site requirements, would the request for the trees ever be brought up again?

Director Gardner said the developer does not plan on building for at least two years. Mr. Gardner can not anticipate what the Council will require two years from now.

Mayor Wescott stated if there is going to be a request for the City to pay for screening, you have a Finance Committee issue.

City Attorney Molepske does not know what the public purpose is for the City to spend the tax payers money on private property solely for the benefit of the private property owner.

Ald. Nealis noted this individual is also getting free sewer and water.

Mayor Wescott reminded the Council, we do not have a proposal from this individual. The item that is before you is the ordinance amending the zoning classification.

Ald. Rackow stated when Mr. Sowieja submits a site plan, a copy of his request for the City to supply trees for the buffer will already be on file.

Ald. Seiser asked who initiated the zoning change?

In the early summer of 2000, Director Gardner initiated the request for the zoning change.

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

10. Public Hearing - request of the Stevens Point Area Public School District to create a Pedestrian Mall on East Avenue between Jefferson Street and Oak Street, was declared open by the Mayor.

Chris Balazs, 1925 Center Street, suggested the Council consider making a permanent pedestrian mall on Oak Street instead of the proposed East Avenue pedestrian mall.

Mayor Wescott declared the public hearing closed.

11. Resolution on the above.

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

Ald. Rackow stated the pedestrian mall will remain under control of the city which may be converted back to a street at the discretion of the city.

Ald. Kedrowski has concerns with lighting for the sidewalk.

Ald. Phillips is concerned that the pedestrian mall will eventually become a parking lot.

City Attorney Molepske stated the pedestrian mall remains a public right-of-way and also remains under the control of the City.

Ald. Phillips asked if the city should decide to convert the pedestrian mall back into a street, who will be liable for the costs?

City Attorney Molepske said the city can vacate the pedestrian mall and replace the street assessing the costs to the school district.

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

12. Public Hearing - amending Zoning Ordinance classifying territory as "R-3" Two Family Zoning from "R-5" Multiple Family II Zoning - 760 Franklin Street, 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. Seiser moved, Ald. Pazdernik seconded, for adoption of the ordinance.

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

14. Public Hearing - Conditional Use to construct an accessory building less than 10 feet from the principal building - 760 Franklin Street, was declared open by the Mayor.

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

15. Resolution on the above.

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

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

16. Resolution authorizing the Mayor and the City Clerk to sign annexation petition for that part of City-owned land contained in the Schmeekle Reserve.

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

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

17. Public Protection Committee meeting of February 12, 2001.

Ald. Sevenich moved, Ald. Molski seconded, for approval of the Public Protection Committee minutes of February 12, 2001.

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

18. Ordinance - amending Section 24.27 - Citations.

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

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

19. Board of Public Works meeting of February 12, 2001.

Reid Rocheleau expressed his concerns with item #8 - Traffic Studies of the Board of Public Works minutes of February 12, 2001.

Dan Mielke stated the Farmer s Market is continuing to grow especially due to the fact the senior citizens now receive vouchers that can be used at the Farmer s Market as well as the WIC Program. Mr. Mielke is grateful for all the city has done.

Ald. Sevenich moved, Ald. Seiser seconded, for approval of the Board of Public Works minutes of February 12, 2001, with item #8C pulled for further discussion.

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

Ald. Sevenich asked if the permit parking stalls are eliminated on Church Street, will this area be designated as two-hour parking?

Mayor Wescott wants the downtown parking to be consistent. We currently have twelve permit stalls on Church Street that are not being utilized. We currently have two-hour parking on the east side of Church Street which is also not being used. The goal is to get all day parkers out of the mall and onto Church Street.

Director Gardner gave a brief history of the downtown parking.

Ald. Sevenich said as you are driving north on Church Street, first there is permit parking stalls then it changes to two-hour parking which can be confusing for people. If we are going to make Church Street long term parking, what about making Second Street where the Point Bakery used to be also long term parking to be consistent?

Director Gardner noted Second Street in the area of the public square is considered a retail area. Mr. Gardner supports the two-hour parking instead of the long term parking for this area.

Ald. Sevenich feels this is confusing for people. The alderperson would like to see two-hour parking on Church Street.

Mayor Wescott stated as part of the downtown strategic plan, all of the downtown parking will be reviewed. The Mayor is comfortable with the current recommendation from the Police, Engineering and the Planners.

Ald. Sevenich would like consistency in the parking downtown so all streets in the downtown area should be two-hour parking.

Ald. Seiser moved, Ald. Molski seconded, to approve Item #8C - Eliminate the sale of on Street Permit Parking in the vicinity of Main and Church Streets, with the exception of three permit stalls.

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

20. Special Board of Public Works meeting of February 19, 2001.

Clerk Zdroik read the minutes of the Special Board of Public Works meeting of February 19, 2001.

Ald. Molski moved, Ald. Kedrowski seconded, for approval of the Special Board of Public Works minutes of February 19, 2001.

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

21. Public Hearing - vacating a portion of Wayne Street west of Illinois Avenue, was declared open by the Mayor.

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

22. Resolution on the above.

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

Ald. Kedrowski supports the vacating a portion of Wayne Street west of Illinois Avenue.

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

23. Public Hearing - petitioning the Secretary of Transportation for Airport Improvement Aid, was declared open by the Mayor.

Mayor Wescott introduced a memo dated February 19, 2001, from Director Van Alstine and place that memo on record.

The Mayor declared the public hearing closed.

24. Resolution on the above.

Ald. Pazdernik moved, Ald. Walther seconded, for adoption of the resolution.

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

25. Finance Committee meeting of February 12, 2001.

Ald. Barr moved, Ald. Pazdernik seconded, for approval of the Finance Committee minutes of February 12, 2001, with item #2 pulled for further discussion.

Larry Lee, 2424 Bush Street, stated he had found out his house was part of the long range park plan about one year after purchasing the home. Mr. and Mrs. Lee decided if interest rates went down and they found a suitable replacement home in the City, they would consider selling their home to the City. They currently have an offer on a home located on Roberts Street.

Reid Rocheleau expressed his concern with the priorities of the City.

City Attorney Molepske noted this is not like the Johnson property, with that property it was unoccupied. With this property, we are looking at relocation costs and other benefits. The City will be required to file a relocation plan. It will take at least five to seven days for the Department of Commerce to review our plan. Can the property owner waive the relocation costs, absolutely not, the City Attorney stated. The City Attorney said **we could have an executive session at the next Finance Committee meeting to discuss the City's appraisal and the relocation costs issue.**

Ald. Molski moved, Ald. Kedrowski seconded, to amend item #2 of the Finance Committee minutes of February 12, 2001, to the City will obtain an appraisal and report the appraisal back to the Finance Committee before any authorization to negotiate the purchase price. The City staff should prepare a relocation plan pending the outcome of the March meeting.

Ald. Barr would agree to a Special Finance Committee meeting if needed.

Ald. Nealis moved, to deny the purchase of 2424 Bush Street for park land expansion.

Ald. Nealis motion failed due to a lack of a second.

The following vote is on the amendment to item #2:

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

The following vote is on the main motion to approve the Finance Committee minutes of February 12, 2001, with item #2 pulled for further discussion:

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

26. Resolution - Transfer of Funds.

Ald. Pazdernik moved, Ald. Kedrowski seconded, for adoption of the resolution - Transfer of Funds.

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

27. Personnel Committee meeting of February 12, 2001.

Ald. Rackow moved, Ald. Barr seconded, for approval of the Personnel Committee minutes of February 12, 2001.

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

28. Ratification of the 2001-2002 Tentative Agreement with the Police Officers Bargaining Unit.

Ald. Barr moved, Ald. Molski seconded, to ratify the 2001-2002 Tentative Agreement with the Police Officers Bargaining Unit.

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

29. Board of Park Commissioners meeting of February 7, 2001.

John Brown, 2306 College Avenue, expressed his concerns with the contract between the City of Stevens Point and Coca-Cola. Mr. Brown also questioned the advertisement for Coca-Cola in the city parks.

Ald. Molski moved, Ald. Nealis seconded, for approval of the Board of Park Commissioners minutes of February 7, 2001.

Ald. Seiser does not appreciate the advertisement from the soda machines in the city parks

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

30. Board of Water and Sewage Commissioners meeting of February 9, 2001.

Ald. Seiser moved, Ald. Walther seconded, for approval of the Board of Water and Sewage Commissioners minutes of February 9, 2001.

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

31. Telecommunications Commission meeting of January 31, 2001.

Ald. Rackow moved, Ald. Nealis seconded, for approval of the Telecommunications Commission minutes of January 31, 2001.

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

32. Various reports:

Comptroller-Treasurer s report - December 2000.

Police and Fire Commission meeting of February 8, 2001.

Transportation Commission meeting of January 24, 2001.

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

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

33. Mayor s appointment.

Director of Water and Wastewater Utility - 2-year term commencing January 1, 2001.

Greg Disher - 717 Minnesota Avenue

Ald. Rackow moved, Ald. Pazdernik seconded, for confirmation of the appointment.

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

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

Reid Rocheleau briefly discussed his opinions on the Highway HH by-pass.

Clerk Zdroik introduced alderperson candidates David Sowieja - Ward 5, Fred Hopfensperger - Ward 9, Jim Maas - Ward 9, and Matt Filipiak -

Ward 3.

35. Adjournment - 8:45 P.M.

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