

Meeting Minutes

REGULAR COUNCIL MEETING

Council Chambers, County-City Building

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

Mayor Gary W. Wescott, presiding

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

Excused: Ald. Seiser

Also Present: Comptroller-Treasurer Schlice, City Attorney Molepske, City Clerk Zdroik, Directors Van Alstine, Gardner; Park Facilities Supervisor Butkowski, Police Captain Dowling, Fire Chief Barnes, Adm. Services Manager Halverson, Assessor Kuehn, Transit Manager Lemke, Administrative Assistant Marciniak, Kari Yenter, Susan Kampmeier (Journal), Scott Krueger (WIZD), Gene Kemmeter (Portage County Gazette)

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

Mayor Wescott announced two weeks from today Phase II of the Highway 10 project will begin. The Mayor also reminded the members of the community about the upcoming spring election on April 3, 2001. Mayor Wescott quoted the final Census population count for the City of Stevens Point is 24,551.

3. Approval of minutes of the Regular Common Council meeting of February 19, 2001.

Ald. Rackow moved, Ald. Molski seconded, for approval of the regular Common Council minutes of February 19, 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.

Larry Lee Item #18 - Finance Committee meeting

2424 Bush Street

Stevens Point WI 54481

Joseph Elia Item #15 - Public Protection Committee meeting

601 Wadleigh Street

Stevens Point WI 54481

5. Resolution - authorizing Marcus Cable Partners - dba Charter Communications to temporarily operate the cable communication system.

Ald. Rackow moved, Ald. Walther seconded, for approval of the resolution authorizing Marcus Cable Partners - dba Charter Communications to temporarily operate the cable communication system.

Ald. Rackow informed the council members the City is inching towards reaching a resolution with Charter Communications.

Ald. Barr thanked Ald. Rackow and the Telecommunications Commission for all their hard work.

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

Nays: Ald. Kedrowski.

Ayes - 9. Nays - 1. Motion carried.

6. Plan Commission meeting of March 5, 2001.

Ald. Sevenich moved, Ald. Pazdernik seconded, for approval of the Plan Commission minutes of March 5, 2001.

Roll Call: Ayes all.

Nays none. Motion carried.

7. Public hearing - amendment to zoning ordinance - down zoning Stevens Point School Board property along County Road HH west of Echo Dells from "M-2" Heavy Industrial to "R-4" Multiple Family I, was declared open by the Mayor.

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

8. Ordinance on the above.

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

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

Nays: None. Motion carried.

9. Public hearing - amending zoning ordinance on height restriction to allow higher buildings for airport use, was declared open by the Mayor.

Mark Craig stated the Noel Group had submitted plans to the Plan Commission and the Board of Public Works regarding a structure at the airport which is four stories high. The Noel Group has also submitted an application to the FAA in which they are still waiting for approval.

Mayor Wescott declared the public hearing closed.

10. Ordinance on the above.

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

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

11. Public hearing - request to operate a Go Kart Track at 3264 Church Street as a Conditional Use, was declared open by the Mayor.

Mayor Wescott announced the applicant for the Go Kart Track at 3264 Church Street has withdrawn his request at this time.

Mayor Wescott declared the public hearing closed.

12. Resolution on the above.

Ald. Rackow moved, Ald. Barr seconded, to table the resolution - request to operate a Go Kart Track at 3264 Church Street as a conditional use.

Roll Call: Ayes all.

Nays none. Motion carried.

13. Public hearing - request of McDill Lake District to dredge a portion of McDill Pond 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. Barr moved, Ald. Kedrowski seconded, for adoption of the resolution.

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

Nays: None. Motion carried.

15. Public Protection Committee meeting of March 12, 2001.

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

Roll Call: Ayes all.

Nays none. Motion carried.

16. Board of Public Works meeting of March 12, 2001.

Ald. Nealis moved, Ald. Phillips seconded, for approval of the Board of Public Works minutes of March 12, 2001.

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

Nays: None. Motion carried.

16A. Preliminary Resolution - New or Replacement Sanitary Sewer Laterals and/or Water Services and/or Storm Sewer Laterals - properties fronting upon both sides of CLARK STREET from Division Street to Minnesota Avenue.

Ald. Rackow moved, Ald. Walther seconded, for adoption of the Preliminary Resolution - New or Replacement Sanitary Sewer Laterals and/or Water Services and/or Storm Sewer laterals - properties fronting upon both sides of Clark Street from Division Street to Minnesota Avenue.

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

Nays: None. Motion carried.

17. Ordinance - Traffic.

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

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

Nays: None. Motion carried.

18. Finance Committee meeting of March 12, 2001.

Ald. Barr moved, Ald. Pazdernik seconded, for approval of the Finance Committee minutes of March 12, 2001.

Roll Call: Ayes all.

Nays none. Motion carried.

Larry Lee, 2424 Bush Street, thanked the Council for considering the purchase of his property at 2424 Bush Street. Mr. Lee informed the Council that he has accepted an offer to purchase his property at 2424 Bush Street from another party. Mr. Lee invited the City to make a secondary offer to purchase 2424 Bush Street should the first offer not follow through. Mr. Lee suggested the City change the structure on how the city acquires properties in the park plan to speed the process.

For clarification for the Council members, Mayor Wescott asked Mr. Lee if he had accepted an offer to purchase his property at 2424 Bush Street?

Larry Lee stated, yes.

Ald. Barr understood it was the intent of the Finance Committee to give the authority to the City Attorney and Comptroller/Treasurer to pursue negotiations. The City Attorney and Comptroller/Treasurer have the authority to finalize the acquisition of the property located at 2424 Bush Street. Ald. Barr noted the recommendation that came from the Finance Committee which was authorizing the City Attorney and Comptroller/Treasurer to negotiate the purchase of the property at 2424 Bush Street must come before the Council for its action. That is what we are doing tonight.

Ald. Nealis moved, Ald. Walther seconded, to pull item #4 from the Finance Committee minutes of March 12, 2001, for further discussion.

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

Ald. Nealis moved, Ald. Kedrowski seconded, that the City Attorney and Comptroller/Treasurer negotiate in a secondary position to purchase the property at 2424 Bust Street.

Mayor Wescott said the City of Stevens Point would be a fall back offer.

City Attorney Molepske stated that is correct.

Larry Lee said he is trying to close on this property by next Friday.

Ald. Rackow stated if he understands correctly, the motion on the floor is if the sale of 2424 Bush Street does not go through, then the Comptroller/Treasurer and City Attorney have the authority to negotiate the purchase of the property.

Mayor Wescott asked if the City Attorney and Comptroller/Treasurer were to put a better offer on the table, what does the secondary position have to do with anything? Mr. Lee would take the better offer.

City Attorney Molepske said it all depends on the contract between Mr. Lee and the purchaser. If it is a binding contract for a certain amount of money and the contingency is financing and the financing contingency is satisfied, Mr. Lee is obligated to sell to that party.

Mayor Wescott would like the secondary position in Ald. Nealis motion defined under the law.

City Attorney Molepske stated the offer we would make in the event that the purchaser does not buy this property for whatever reason, then the **City of Stevens Point s offer would go forth assuming Mr. Lee would accept this offer.**

Ald. Nealis said basically the City of Stevens Point s offer is a back up offer.

Ald. Phillips said an offer is made on this property and Mr. Lee accepted this offer. Mr. Lee, under contract, can not deal with another party until the first offer is out of the picture.

City Attorney Molepske does not know what the agreement is between Mr. Lee and the purchaser. Assuming our offer is made, in the event the first offer does not go through, the City would be willing to purchase the property under the second offer.

Ald. Rackow is in favor of Ald. Nealis motion.

Mayor Wescott asked if the City of Stevens Point becomes the higher offer to purchase 2424 Bush Street, why would the City not become the accepted offer?

City Attorney Molepske said if Mr. Lee has a buyer already, who has signed an agreement, Mr. Lee is still bound by that agreement even if that person has a lower offer assuming that is a valid agreement.

Roll Call: Ayes: Ald. Moore, Rackow, Barr, Kedrowski, Pazdernik, Sevenich.
Nays: Ald. Phillips, Nealis, Molski, Walther.
Ayes - 6. Nays - 4. Motion carried.

19. Board of Park Commissioners meeting of March 7, 2001.

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

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

20. Board of Water and Sewage Commissioners meeting of March 12, 2001.

Ald. Molski moved, Ald. Moore seconded, for approval of the Board of Water and Sewage Commissioners minutes of March 12, 2001.

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

21. Telecommunications Commission meeting of February 21, 2001.

Ald. Rackow moved, Ald. Barr seconded, for approval of the Telecommunications Commission minutes of February 21, 2001.

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

22. Various Reports

Comptroller-Treasurer s report - January 2001.

Police and Fire Commission meeting of March 12, 2001.

Transportation Commission meeting of March 7, 2001.

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

Roll Call: Ayes all.

Nays none. Motion carried.

23. Appointments by Mayor.
Redistricting Committee
Urban Area Comprehensive Planning Committee

REDISTRICTING COMMITTEE -
City Attorney Louis J. Molepske 1515 Strongs Avenue
City Clerk Victoria L. Zdroik 1515 Strongs Avenue
Aldersperson Bernice Sevenich 1324 Fourth Avenue
Aldersperson Marge Molski 800 St. Paul Street
Aldersperson Mike Phillips 2302 Water Street
Lenora Barge 1909 Boyington Avenue
Ruth Steffen 3033 Jordan Lane
Nick Bolz UW-SP

URBAN AREA COMPREHENSIVE PLANNING COMMITTEE -
Mayor Gary W. Wescott 1515 Strongs Avenue
Plan Commissioner Jeffrey Zabel 4225 Sequoia Court
Plan Commissioner Lois Feldman, Alternate 4008 Sunset Fork

Ald. Pazdernik moved, Ald. Rackow seconded, for confirmation of the Mayor s appointments.

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

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

Ald. Kedrowski informed his fellow alderpersons that over the weekend he had received calls about the school board issue. A lot of people are concerned with the Alternative School combined with Jefferson School.

Mayor Wescott added this afternoon the City notified the school district that moving the Alternative High School to any other building in the city would require review and approval by the Plan Commission and City Council.

City Attorney Molepske agreed that is correct.

Ald. Nealis also received a lot of calls from concerned citizens about their children being moved out of Jefferson School.

Clerk Zdroik introduced alderperson candidates David Sowieja - Ward 5 and Fred Hopfensperger - Ward 9.

25. Adjournment - 7:35 P.M.

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