

Meeting Minutes

REGULAR COUNCIL MEETING

August 20, 2001 7:00 P.M.

Council Chambers, County-City Building

Mayor Gary W. Wescott, presiding

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

Also Present: Comptroller-Treasurer Schlice, City Attorney Molepske, City Clerk Zdroik, Directors Van Alstine, Gardner, Disher, Police Chief Carpenter, Assessor Kuehn, Transit Manager Lemke, Personnel Specialist Jakusz, Administrative Assistant Molepske, Kari Yenter, Andrea Glyzowski (Journal), Gene Kemmeter (Portage County Gazette)

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

In two weeks, Mayor Wescott said we will be celebrating Labor Day which is the last official holiday of summer. This is the time to be thankful for the American workers whose labor have not only built this nation but have sustained it.

Mayor Wescott reflected on a few of the summer successes which include the Downtown Strategic plan, Lincoln Center expansion, sewer project for Highway 10 East, south side Business 51 project, city park enhancements, Band Shell renovation, Police Department accreditation, new Transit buses, Long Range Capital projects plan, Forestry Ordinance, and Redistricting for the City of Stevens Point.

**3. Approval of minutes of the Regular Common Council meeting of July 16, 2001.**

Ald. Rackow moved, Ald. Molski seconded, for approval of the regular common council minutes of July 16, 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.

Stephen Louis Item #19 - Personnel Committee Meeting  
AFSCME Local 309

**5. Plan Commission meeting of August 6, 2001.**

Ald. Rackow moved, Ald. Barr seconded, for approval of the Plan Commission minutes of August 6, 2001.

Roll Call: Ayes all.

Nays none. Motion carried.

6. Public hearing - amending zoning ordinance classifying 200 Indiana Avenue as "R-5" Multiple Family II Zoning from "R-3" Single and Two Family Zoning, was declared open by the Mayor.

Roy Cychosz, 300 Indiana Avenue, is concerned with drainage problems and screening for the proposed parking lot. Mr. Cychosz stated Director Gardner and Director Van Alstine have worked on a plan for the drainage problem. Mr. Cychosz would like to see a six foot wooden fence with this parking lot.

Mayor Wescott declared the public hearing closed.

**7. Ordinance on the above.**

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

At the Plan Commission meeting on August 6, 2001, Ald. Sowieja requested the planning office check into the previous screening issue for the Clifton Gunderson building adjacent to the Cychosz property.

Director Gardner stated he reviewed the minutes and talked with Mr. Anderson regarding the screening issue for the Clifton Gunderson building. Mr. Anderson does not have a problem with placing a fence with the proposed parking lot.

Ald. Filipiak had checked on the parking situation in the lot periodically and noticed several open spaces. There could be room for a really nice **barrier to be placed between the homeowner s property and the parking lot.**

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

Nays: None. Motion carried.

8. Public hearing - amending minimum performance standards of Section 23.02(1), (2), (3), and (4) of the Revised Municipal Code - Senior Meeting Center, was declared open by the Mayor.

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

**9. Ordinance on the above.**

**Ald. Seiser would like the setbacks reviewed. The alderperson s understanding is the amendment to the ordinance would approve the setback the Lincoln Center expansion project on Elk Street which is closer than what the current ordinance would allow. Does it involve any more than that?**

Director Gardner stated what the amendment to the ordinance is doing is changing the zoning ordinance which would allow any future expansions or construction of the Senior Meeting Center to come to the Council with something less than a 25-foot setback. It does not approve the plan that is included in the Council packet.

Ald. Sevenich moved, Ald. Sowieja 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.

10. Resolution - adopting public participation guidelines for Comprehensive Planning.

Ald. Sowieja moved, Ald. Seiser seconded, for adoption of the resolution adopting public participation guidelines for Comprehensive Planning.

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

11. Ordinance - Annexation - Kulas Et Al - 100 Bukolt Park.

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

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

12. Public hearing - amending the zoning ordinance which would classify the above territory as "R-2" Single Family Zoning, 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. Walther moved, Ald. Nealis seconded, for adoption of the ordinance.

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

14. Public Protection Committee meeting of August 13, 2001.

Ald. Phillips moved, Ald. Barr seconded, for approval of the Public Protection Committee minutes of August 13, 2001, with item #1 - Recommended Rejection for Sarah Niday pulled for further discussion.

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

**Ald. Seiser said Sarah Niday s operator/bartender license application was denied because she had a possession of marijuana violation two ye ago.** The alderperson received input from the public who feel this is a person who really wants to work. It is not fair for the committee to deny her a license after two years with a clean record.

**Ald. Seiser moved, Ald. Filipiak seconded, to approve the application for operator s/bartender s license for Sarah A. Niday.**

Ald. Filipiak asked a representative of a Human Resource Department of a local convenience store what the recourse is for an employee that needs a license but does not have one? They do not recall terminating an employee for not having a license but it does not work well if the **employee does not have a license. The reason why Sarah Niday s license was denied is for a marijuana violation that occurred over two years ago.**

Ald. Nealis agrees alcohol and marijuana convictions should have the same number of years before the applicant would be approved for a license.

Ald. Rackow said fairly recently the list of rules were established to clarify the reasons for denying an application.

Mayor Wescott was informed by City Clerk Zdroik the list of rules were established in September of 2000.

Ald. Rackow is not ready to change the rules yet.

Ald. Sowieja feels three years is excessive for one violation. The alderperson thinks two years is ample time.

Ald. Barr noted the action of the Public Protection Committee did not deny this person employment.

Ald. Phillips reminded the Council members, Ms. Niday did read and sign the list of requirements before applying for the operator/bartender license. The alderman feels it is important to follow the rules established. There are other methods available for raising a child.

Ald. Filipiak clarified Ms. Niday is not tending bar, she works at a gas station.

Ald. Sevenich said the license that Ms. Niday applied for can be used at a gas station, grocery store or tavern. The alderperson feels the list of requirements were well thought out.

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

15. Board of Public Works meeting of August 13, 2001.

Ald. Seiser moved, Ald. Molski seconded, for approval of the Board of Public Works minutes of August 13, 2001.

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

16. Ordinance - Traffic:

9.06(a) 730. Install stop sign west on Lands End Way at Brilowski Road.

9.06(a) 690. Install stop signs east and west on E.M. Copps Drive at Brilowski Road.

Ald. Sowieja moved, Ald. Seiser 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.

17. Special Board of Public Works meeting of August 20, 2001.

Ald. Nealis moved, Ald. Seiser seconded, for approval of the Special Board of Public Works minutes of August 20, 2001, with item #2A - North Point Drive Street Lights pulled for further discussion.

Ald. Seiser said the new lights on North Point Drive will be shoe box lights which will direct the light down.

Ald. Filipiak feels the tie bid for the street lights on North Point Drive should go to the local vendor in Wisconsin Rapids.

Ald. Filipiak moved, Ald. Seiser seconded, to accept the bid of \$18, 684.00 from Crescent Electric Supply Co., Wisconsin Rapids, WI.

Ald. Rackow noted if he is running for alderperson and the vote is tied, the method of deciding the tie is exactly the same way that was used tonight.

**City Attorney Molepske advised we have two equal bidders. The vendors bids are for materials only. No labor will be involved. The Attorney s** as a result, it may make good politics to work with the local individual but there is nothing in the law that would disqualify the other bidder simply because he is from Elm Grove.

Ald. Nealis thinks it is important to encourage competitive bidding. The alderperson commented that by choosing a company just because they are local might encourage local companies to bid higher.

Ald. Seiser said since the state statutes do not state what needs to be done in the case of a tie, the alderperson feels this gives the Council the opportunity to make a statement.

City Attorney Molepske would understand selecting a local vendor if the vendor would be here to supervise the project on a regular basis. The vendor will simply supply materials for the project. In this case, the Attorney is hard pressed choosing a vendor simply on location.

Director Van Alstine spoke with both vendors today and both agreed the flip of a coin was the honest way to decide the tie.

Roll Call: Ayes: Ald. Filipiak, Seiser.

Nays: Ald. Sevenich, Walther, Sowieja, Barr, Rackow, Molski, Nealis, Phillips, Moore.

Ayes - 2. Nays - 9. Motion failed.

Ald. Phillips moved, Ald. Molski seconded, for approval of the Special Board of Public Works minutes of August 20, 2001, including all the decisions on the quotes and bids.

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

Nays: Ald. Filipiak, Seiser.

Ayes - 9. Nays - 2. Motion carried.

18. Finance Committee meeting of August 13, 2001.

Ald. Barr moved, Ald. Phillips seconded, for approval of the Finance Committee minutes of August 13, 2001.

Ald. Seiser still feels the 8% commission paid to Parker Realty for the sale of the lots is too high.

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

Nays: Ald. Seiser.

Ayes - 9. Nays - 1. Motion carried.

Ald. Nealis abstained.

19. Personnel Committee meeting of August 13, 2001.

Stephen Louis, President of AFSCME Local 309, would like item #3 - AFSCME Local 309 Grievance T-1-01 clarified. Mr. Louis stated the grievance was not withdrawn. The grievance was held in abeyance until a final write up of a mutually agreed upon settlement is signed.

Ald. Rackow moved, Ald. Sevenich seconded, for approval of the Personnel Committee minutes of August 13, 2001.

Ald. Rackow said the grievance will be settled unless something unexpected occurs. If the grievance is not settled, the grievance will return to the Personnel Committee next month.

Roll Call: Ayes all.

Nays none. Motion carried.

20. Special Personnel Committee meeting of August 20, 2001.

Ald. Filipiak moved, Ald. Sevenich seconded, for approval of the Special Personnel Committee minutes of August 20, 2001.

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

21. Ordinance amending Section 5.04 - Officers of Department - Police Department.

Ald. Filipiak 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.

22. Board of Water and Sewage Commissioners meeting of August 15, 2001.

Ald. Molski moved, Ald. Filipiak seconded, for approval of the Board of Water and Sewage Commissioners minutes of August 15, 2001.

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

23. Telecommunications Commission meetings of July 17, 2001 and August 15, 2001.

Ald. Rackow moved, Ald. Walther seconded, for approval of the Telecommunications Commission minutes of July 17, 2001, and August 15, 2001.

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

24. Ordinance - creation of twenty-two wards located in eleven aldermanic districts.

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

Ald. Nealis expressed his thoughts against the proposed aldermanic districts. The alderperson is dissatisfied and uncomfortable with the boundaries of his district.

Ald. Seiser is very satisfied with how nicely the new boundaries are for the Fourth District. This is quite an improvement from the old Fourth Ward.

**Ald. Nealis gave credit to the City Clerk's Office for the amount of time spent on the redistricting plans. The alderman is disappointed in the Redistricting Committee as he does not feel his suggestions were taken into account.**

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

25. Ordinance - creation of Aldermanic District Boundaries and establishing polling locations.

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

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

26. Reports

**Comptroller-Treasurer's report - June 2001.**

Police and Fire Commission meeting of August 15, 2001.  
Transportation Commission meeting of August 1, 2001.

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

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

27. Appointments by Mayor.  
Board of Park Commissioners.

Ald. Phillips moved, Ald. Walther seconded, for confirmation of the appointment.

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 - 7:50 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