

Meeting Minutes  
REGULAR COUNCIL MEETING  
December 17, 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, Schrader, Disher; Police Chief Carpenter, Deputy Fire Chief Koback, Assessor Kuehn, Administrative Assistant Molepske, Kari Yenter, Barb Martin (Journal), Gene Kemmeter (Portage County Gazette)

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

**Mayor Wescott's sincere condolences goes out to the family of former Mayor Gil Halverson who passed away one week ago. The Mayor also extended condolences to Clerk Zdroik whose mother-in-law passed away last week.**

**Mayor Wescott noted the Governor's office announced today the state budget deficit is likely to exceed 1.3 billion dollars. At this time, we do not know how it will impact our municipality, county and schools.**

3. Approval of minutes of the Special Common Council meetings of November 19, 2001, and December 10, 2001, and minutes of the Regular Common Council meeting of November 19, 2001.

Ald. Rackow moved, Ald. Barr seconded, for approval of the Special Common Council minutes of November 19, 2001, and December 10, 2001, and the Regular Common Council minutes of November 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.

Paul and Peter Gerrard Item #13 - Resolution-WHEDA Tax Credit Project -  
Gerrard Development Corporation 1000 block of CenterPoint Drive

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

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

Ald. Rackow stated if the City does not approve the extension resolution, Charter might consider stopping the payment of the 5% franchise fee being paid to the City of Stevens Point. Charter Communications might also consider taking the City to court. The City does have an obligation to do its end of the bargain by offering a resolution extending the franchise agreement with Charter Communications. The alderman noted this is the eighth extension resolution presented to the Common Council.

Ald. Filipiak asked why is the extension for a period of three months?

Mayor Wescott said historically, the legal path that most communities follow is a 90 day extension. The Mayor stated he had met with the Vice President of Charter Communications and had a good clearing of the air. The Mayor assures Charter has a much clearer understanding of the **City's vision for its telecommunications future. Mayor Wescott's goal is to formally move the franchise agreement forward to a closure in the near future.**

Roll Call: Ayes: Ald. Sevenich, Walther, Filipiak, Seiser, Sowieja, Barr, Rackow, Molski, Moore.  
Nays: Ald. Nealis, Phillips.  
Ayes - 9. Nays - 2. Motion carried.

6. Plan Commission meeting of December 3, 2001.

Ald. Rackow moved, Ald. Molski seconded, for approval of the Plan Commission minutes of December 3, 2001.

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

7. Public hearing - request of First Home, 824 Fremont Street, to operate a home for unwed mothers as a Conditional Use, was declared open by the Mayor.

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

8. Resolution on the above.

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

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

**9. Public hearing - request of Encore Senior Villa, 100 Green Avenue North, to operate an Alzheimer's Rest Home at 100 Green Avenue North. 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. Nealis 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 - amending Section 23.02(4) Planned Development District: Traditional Neighborhood Development, was declared open by the Mayor.

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

12. Ordinance on the above.

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

Ald. Sowieja would like a brief explanation of what the ordinance entails.

Director Gardner said the ordinance is required by the State of Wisconsin to be adopted by every municipality with a population over 12,500. The ordinance will allow for mixed uses in a neighborhood.

Ald. Sowieja asked will this give reprieve to the lots in the City that are currently considered not meeting the code? Would they still have to get variances from the City for these lots?

Director Gardner said most of the lots in the City meet code. What this is for is a district that somebody could request their property to be zoned to. The Director does not expect it to be used very often around here because it will be used for large tracts of land.

Ald. Seiser asked in the Fourth District, will this help to make decisions about our old neighborhood to be consistent with this new code?

Director Gardner said this will only be applied to new undeveloped areas.

Ald. Nealis asked if this is to curb urban sprawl?

Director Gardner said it is one of the tools that could be applied to curb urban sprawl. The second is to address neighborliness to try to make neighborhoods more like they used to be. The Director feels it will be market driven.

Mayor Wescott asked what impact will this have on a municipality under the population of 12,500?

Director Gardner stated it will have no impact on communities less than 12,500. The state has said it is up to the local municipalities over 12,500 to decide how and where they grow. The City of Stevens Point is the only community in the county with a population over 12,500.

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

13. Resolution - WHEDA Tax Credit Project - 1000 block of CenterPoint Drive.

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

Ald. Seiser has some concerns about the building itself but approves of the WHEDA tax credit.

Ald. Sevenich is glad to see something being built on this empty lot.

Ald. Rackow pointed out this development will only cover part of the Lullabye property. There is still additional land that something else can be built upon.

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 December 10, 2001.

Ald. Sevenich moved, Ald. Seiser seconded, for approval of the Public Protection Committee minutes of December 10, 2001.

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

15. Ordinance - amending Section 14. - creation of "No Deer Feeding" ordinance.

Ald. Phillips moved, Ald. Barr 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.

16. Personnel Committee meeting of December 10, 2001.

Ald. Rackow moved, Ald. Molski seconded, for approval of the Personnel Committee minutes of December 10, 2001.

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

17. Board of Public Works meeting of December 10, 2001.

Ald. Seiser moved, Ald. Walther seconded, for approval of the Board of Public Works minutes of December 10, 2001.

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

18. Special Board of Public Works meeting of December 17, 2001.

Ald. Molski moved, Ald. Sowieja seconded, for approval of the Special Board of Public Works minutes of December 17, 2001.

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

19. Finance Committee meeting of December 10, 2001.

Ald. Barr moved, Ald. Moore seconded, for approval of the Finance Committee minutes of December 10, 2001.

Ald. Seiser noted the School Board is meeting tonight to discuss the status of Emerson School. The alderperson would like to see Emerson School remain standing. Ald. Seiser thought possibly the Emerson School project could be included in a long range plan for the City.

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

20. Board of Park Commissioners meeting of December 5, 2001.

Ald. Molski moved, Ald. Seiser seconded, for approval of the Board of Park Commissioners minutes of December 5, 2001.

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

21. Board of Water and Sewage Commissioners meeting of December 10, 2001.

Ald. Nealis moved, Ald. Sevenich seconded, for approval of the Board of Water and Sewage Commissioners minutes of December 10, 2001.

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

22. Ordinance - amending schedule of sewage service rates.

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

Ald. Phillips would like an explanation on the new sewage service rates. If the rates are based on the number of gallons of water used, why is there also a charge for the size of pipe being used?

Director Disher said the sizes the alderman is referring to is the size of the meters being used. The meter size determines how many gallons per minute that house can have.

Ald. Phillips said if the meter is monitoring the number of gallons, what does the size of the pipe have to do with anything?

Director Disher stated it is not the size of the pipe, it is the size of the meter at the house.

Mayor Wescott asked how is the rate calculated per homeowner in this community?

Director Disher replied the rate is based on the amount of water used during the winter quarter for each house in the City of Stevens Point. The rate is based on the size of the meter and how much water you use.

Mayor Wescott asked if the size of the pipe is relevant?

Director Disher said the size of the meter is relevant because of the amount of water that meter will deliver.

Ald. Phillips asked then the usage of water has nothing to do with the sewage charges?

Director Disher replied, no.

Ald. Phillips asked how is the sewer charge formulated?

Director Disher said you have the volume charge and the meter charge. You pay a greater amount for a larger meter.

Ald. Phillips thought he was paying by the cubic foot.

Director Disher said that is correct but it is broken down by meter charge and volume charges. Everyone pays the same volume charge. A person with a larger meter size will pay more than a person with a smaller meter size.

Ald. Rackow said if he has a 3/4 inch meter under the new plan, he would pay a flat charge of \$18.00 whether any water is delivered or not. The

alderman would pay \$1.74 per 100 cu. ft. of water that meter delivers to him.

Ald. Nealis asked if a commercial property would have a larger meter?

Director Disher said yes, it depends on the size of the building.

Ald. Sowieja asked if the service rate applies to all businesses and private households?

Director Disher answered that is correct.

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

Nays: Ald. Phillips.

Ayes - 10. Nays - 1. Motion carried.

23. Telecommunications Commission meeting of November 29, 2001.

Ald. Rackow moved, Ald. Sevenich seconded, for approval of the Telecommunications Commission minutes of November 29, 2001.

Roll Call: Ayes all.

Nays none. Motion carried.

24. Reports -

**Comptroller-Treasurer s report - October 2001.**

Police and Fire Commission meeting of December 11, 2001.

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

Roll Call: Ayes all.

Nays none. Motion carried.

25. Appointments by Mayor:

Telecommunications Commission.

City Plan Commission.

**Ald. Molski moved, Ald. Seiser seconded, for confirmation of the Mayor s appointments.**

Roll Call: Ayes all.

Nays none. Motion carried.

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

Mayor Wescott wished everyone, Happy Holidays!

27. Adjournment - 7:42 P.M.

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