

Meeting Minutes
REGULAR COUNCIL MEETING
Council Chambers
February 21, 2000
County-City Building
7:00 P.M.

Mayor Gary W. Wescott, presiding

Roll Call: Present: Ald. Sevenich, Walther, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Nealis, Phillips, Niedbalski

Excused: Ald. Aldinger

Also Present: Comptroller-Treasurer Schlice, City Attorney Molepske, City Clerk Zdroik, Directors Gardner, Van Alstine, Schrader; Police Chief Carpenter, Fire Chief Ugorek, Water/Sewage Adm. Disher, Assessor Kuehn, Transit Manager Lemke, Personnel Specialist Jakusz, Portage County Senior Planner Schuler, Adm. Asst. Bumgarner, Kari Yenter, Susan Kampmeier (Journal), Mike Kemmeter (WIZD), Gene Kemmeter (Portage County Gazette), Jodi Brusewitz (Portage County Gazette)

2. Salute to the flag and prayer.

In honor of President s Day, Mayor Wescott listed the top five rated Presidents with President Lincoln rated the top President. Mayor Wescott quoted some of the words of President Lincoln.

3. Approval of minutes of the Regular Common Council meeting of January 17, 2000.

Ald. Rackow moved, Ald. Walther seconded, for approval of the regular council minutes of January 17, 2000.

Roll Call: Ayes all.

Nays none. Motion carried.

4. *Persons who wish to address the mayor and council on specific agenda items.

Shirley Suplicki Item #31 - Non-agenda Item
1641 Clark Street
Stevens Point WI 54481

Bill Bayba Item #11 - Annexation - Parkwood Sixth Addition
3416 Teton Drive
Stevens Point WI 54481
Reid Rocheleau Item #22 - Personnel Committee - Videographer Wage
Village of Whiting

Peter Shuda Item #31 - Non-agenda Item
800 Third Street
Stevens Point WI 54481

5. Telecommunications Commission meeting of February 9, 2000.

Ald. Rackow moved, Ald. Barr seconded, for approval of the Telecommunications Commission minutes of February 9, 2000.

Ald. Walther noted he was present at the Telecommunications Commission meeting of February 9, 2000.

Roll Call: Ayes all.

Nays none. Motion carried.

6. Resolution - Authorizing Marcus Cable Partners, dba Charter Communications, to Temporarily Operate the Cable Communications System.

Attorney Grogan said under federal law, the City is allowed to impose a franchise fee up to 5% and Charter has not disagreed with that. The attorney said the City is not in a position to deny the franchise extension since negotiations are being processed at an informal level. In order to deny a franchise, formal procedures need to be followed, the attorney said. Extension of the existing franchise is most prudent.

Mayor Wescott said the question is when should the City begin to collect the 5% franchise fee?

Attorney Grogan is recommending to accept Charter s proposed modification of the resolution on the theory that the time and expense of purs enforcement of the resolution as drafted would not be money well spent. The ultimate goal is to get the renewal done and signed. We need a mutual agreement on this provision of the resolution and to focus energy on the negotiations as opposed to fighting over the enforcement of the provisions of the resolution.

Ald. Rackow said Charter has agreed to a 5% franchise fee starting Saturday, February 26, 2000. It would be nice to start collecting the franchise fee sooner, the alderman said. If we press Charter on that point and Charter goes to court over the issue, we will not see that fee sooner, maybe not at all.

Alderman Pazdernik asked how long before the negotiations will be finalized?

Attorney Grogan said officials will need more time to resolve the issue of specifications and costs for an institutional network system, which would provide links among municipal and educational groups. The attorney is optimistic that documentation will be available for your consideration in the near future.

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

Ald. Niedbalski asked will the disbursement of the 5% franchise fee be a future Telecommunications agenda item?

Mayor Wescott said yes, it will.

Roll Call: Ayes: Ald. Sevenich, Walther, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Nealis, Niedbalski.

Nays: Ald. Phillips.

Ayes - 9. Nays - 1. Motion carried.

7. Public hearing - Law Enforcement Block Grant Funds, was declared open by the Mayor.

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

8. Resolution - authorizing Mayor to sign application for Law Enforcement Block Grant funds.

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

Ald. Niedbalski asked what will happen when the funds run out?

Chief Carpenter said the funds from this grant will be used to purchase additional computer equipment and digital cameras to improve report writing. The Chief estimates the funds will be diminished within one year.

Mayor Wescott noted the funds will not be used to pay for salaries.

Roll Call: Ayes: Ald. Niedbalski, Phillips, Nealis, Rackow, Barr, Kedrowski, Perlak, Pazdernik, Walther, Sevenich.

Nays: None. Motion carried.

9. Plan Commission meeting of February 7, 2000.

Ald. Rackow moved, Ald. Niedbalski seconded, for approval of the Plan Commission minutes of February 7, 2000.

Roll Call: Ayes all.

Nays none. Motion carried.

Ald. Nealis abstained from item #2 of the Plan Commission meeting.

10. Ordinance - Amending Residential Parking Requirements in B-1 District - No Parking in Street Yard Setback.

Ald. Niedbalski moved, Ald. Perlak seconded, for adoption of the ordinance.

Ald. Sevenich said it is going to provide more of a neighborhood look for the older areas of the city.

Roll Call: Ayes: Ald. Sevenich, Walther, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Nealis, Phillips, Niedbalski.

Nays: None. Motion carried.

11. Ordinance - Annexation - Parkwood Sixth Addition - Hoover Road at Nicolet Extended.

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

Roll Call: Ayes: Ald. Niedbalski, Phillips, Nealis, Rackow, Barr, Kedrowski, Perlak, Pazdernik, Walther, Sevenich.

Nays: None. Motion carried.

12. Resolution - Approving Preliminary Plat - Parkwood Sixth Addition.

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

Ald. Kedrowski opposes the resolution.

Roll Call: Ayes: Ald. Sevenich, Walther, Pazdernik, Perlak, Barr, Rackow, Nealis, Phillips, Niedbalski.

Nays: Ald. Kedrowski.

Ayes - 9. Nays - 1. Motion carried.

13. Public Hearing - Rezoning Parkwood Sixth Addition to R-1 Suburban Single Family Zoning, was declared open by the Mayor.

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

14. Ordinance on the above.

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

Roll Call: Ayes: Ald. Niedbalski, Phillips, Nealis, Rackow, Barr, Kedrowski, Perlak, Pazdernik, Walther, Sevenich.

Nays: None. Motion carried.

15. Introducing a Resolution Vacating Glacier Drive.

Clerk Zdroik stated no action needs to be taken at this time, just a motion to introduce the vacation of Glacier Drive.

Ald. Rackow moved, Ald. Pazdernik seconded, to introduce the resolution - vacating Glacier Drive.

16. Public Hearing - granting a Conditional Use - 639 Second Street North - Assisted Living Group Home, was declared open by the Mayor.

Director Gardner stated the approval of the conditional use shall be voided if construction is not commenced prior to December 31, 2001, as

shown on the resolution. The Director also stated the correct wording for the Group Home should be a 28-Unit Community Based Residential Facility as shown on the attached site plan.

Mayor Wescott declared the public hearing closed.

17. Resolution on the above.

Ald. Rackow moved, Ald. Niedbalski seconded, for adoption of the resolution granting a Conditional Use - 639 Second Street North - 28-Unit Community Based Residential Facility with the approval being voided if construction is not commenced prior to December 31, 2001.

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

18. Public Hearing - granting a Conditional Use - St. Paul Lutheran School Building and Parking Lot Expansion - 1919 Wyatt Avenue, was declared open by the Mayor.

Mary Thurmaier, 1926 Center Street, supports the action taken by the Plan Commission on February 7, 2000. She wants a 10-foot setback between their parking area and her property.

Lucy Lutz, representing her father at 1935 Oak Street, supports a 10-foot setback. She is not in favor of the fence.

Axel Schmetzke, 1909 East Avenue, stated his property is located opposite of the proposed driveway. Mr. Schmetzke said the reason he moved to this area was the quiet neighborhood, the proposed changes are not welcomed. A 10-foot setback should be observed and not reduced.

Mayor Wescott declared the public hearing closed.

19. Resolution on the above.

Ald. Nealis moved, Ald. Rackow seconded, for adoption of the resolution - Granting a Conditional Use - St. Paul Lutheran School Building and Parking Lot Expansion - 1919 Wyatt Avenue with approval being voided if construction is not commenced prior to December 31, 2001.

Ald. Phillips asked why there is not a 10-foot setback requirement for the west side of 1910 Center Street?

Director Gardner stated this area is currently used for parking, therefore is not subject to the setback requirement per the zoning code.

Mayor Wescott said the area to the north of 1926 Center Street is not a parking area, therefore is subject to the setback requirement.

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

20. Public Protection Committee meeting of February 14, 2000.

Ald. Niedbalski moved, Ald. Phillips seconded, for approval of the Public Protection Committee minutes of February 14, 2000.

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

21. Ordinance - Designating Jackson School, 1900 W. Zinda Drive, as second polling place for the ninth ward, for the April 4, September 12 and November 7, 2000, elections.

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

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

22. Personnel Committee meeting of February 14, 2000.

Reid Rocheleau suggested postponing the wage increase for the Videographer and Production Specialist for further study. Mr. Rocheleau presented some wage comparisons of Telecommunications positions from other area communities.

Ald. Rackow moved, Ald. Walther seconded, for approval of the Personnel Committee minutes of February 14, 2000.

Ald. Niedbalski asked if the 5% franchise fee will be used to fund the two positions in entirety or in part?

Ald. Kedrowski would like to know what the goals are? The alderman stated the master plan should be more specific.

Ald. Rackow encouraged all alderpersons to attend the Telecommunications Commission meetings.

Ald. Niedbalski thanked the Telecommunications Commission for all the hard work.

Mayor Wescott said the issue before the Council is the request to increase the pay rate for two part time Telecommunications positions. These positions have not seen a pay increase for some time. The City is trying to be competitive in hiring professional people to fill the vacancies. The funding for this request has a very limited impact on the tax levy.

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

23. Board of Public Works meeting of February 14, 2000.

Ald. Nealis moved, Ald. Perlak seconded, for approval of the Board of Public Works minutes of February 14, 2000.

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

24. Finance Committee meeting of February 14, 2000.

Ald. Barr moved, Ald. Pazdernik seconded, for approval of the Finance Committee minutes of February 14, 2000.

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

25. Resolution authorizing the Mayor and Clerk to Execute Retirement Agreement for Fire Chief.

Ald. Barr moved, Ald. Perlak seconded, for adoption of the resolution authorizing the Mayor and Clerk to execute Retirement Agreement for the Fire Chief.

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

26. Special Finance Committee meeting of February 21, 2000.

Ald. Barr moved, Ald. Sevenich seconded, for approval of the Special Finance Committee minutes of February 21, 2000.

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

27. Resolution - Transfer of Funds.

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

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

28. Board of Water and Sewage Commissioners meeting of February 14, 2000.

Ald. Pazdernik moved, Ald. Walther seconded, for approval of the Board of Water and Sewage Commissioners minutes of February 14, 2000.

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

29. Reports of various officers and commission.

Comptroller-Treasurer s report - December 1999.

Transportation Commission minutes of January 26, 2000.

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

Roll Call: Ayes all.

Nays none. Motion carried.

30. Mayor s appointment.

TELECOMMUNICATIONS COMMISSION

Appoint Nicole N. Lysne 1825 Gilkay Avenue
(Unexpired term Bartosz - expires 10-01-01)

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

Roll Call: Ayes all.

Nays none. Motion carried.

31. Persons who wish to address the mayor and council on non-agenda items.

Peter Shuda stated the north side of the City of Stevens Point has a major telephone service outage. Mr. Shuda voiced his concerns regarding the telephone service outage. Mr. Shuda suggested the City keep the residents informed by doing a public announcement through its Community Access Television when there is loss of services due to outages that will last for an extended period of time.

Mayor Wescott said that is an excellent suggestion for CA-3.

Shirley Suplicki, Stevens Point Cemetery Association, cannot see where a sidewalk around a cemetery would benefit anyone. The other side of Wilshire Boulevard is ideal for the placement of sidewalks. The Council approved the placement of sidewalks on the west side of Wilshire Boulevard where a cemetery full of deceased people is located. Why put the total burden of the costs of the sidewalks on the Cemetery Association?

Mayor Wescott introduced 8th Ward alderperson candidates Tony Patton, Marge Molski, Cindy Wisinski, and 4th Ward alderperson candidate Jo Ellen Seiser.

32. Adjournment - 8:10 P.M.

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