

Meeting Minutes  
REGULAR COUNCIL MEETING  
Council Chambers  
County-City Building  
July 17, 2000  
7:00P.M.

Mayor Gary W. Wescott, presiding Roll Call: Ald. Sevenich, Walther, Pazdernik, Seiser, Kedrowski, Barr, Rackow, Molski, Nealis, Phillips, Niedbalski

Also Present: Comptroller-Treasurer Schlice, City Attorney Molepske, City Clerk Zdroik, Directors Gardner, Van Alstine, Schrader; Police Chief Carpenter, Interim Fire Chief Koback, Water/Sewage Adm. Disher, Assessor Kuehn, Transit Manager Lemke, Personnel Specialist Jakusz, Intern Adm. Asst. Marciniak, Kari Yenter, Mike Jacquart (Journal), Scott Krueger (WIZD), Gene Kemmeter (Portage County Gazette)

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

Mayor Wescott stated Clerk of Courts Bernadette Flatoff was in a serious accident this past weekend. Ms. Flatoff is expected to have a full recovery. Mayor Wescott asked to keep Bernadette Flatoff in our thoughts.

## 3. Approval of minutes of the Regular Common Council meeting of June 19, 2000.

Ald. Molski moved, Ald. Niedbalski seconded, for approval of the regular Common Council minutes of June 19, 2000.

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.

George Rogers Item #15 - Finance Committee Meeting of July 12, 2000  
1032 Ridge Road  
Stevens Point WI 54481

Gary Baier Item #15 - Finance Committee Meeting of July 12, 2000  
336 Maple Bluff Road  
Stevens Point WI 54481  
Curt Lindstrom Item #15 - Finance Committee Meeting of July 12, 2000  
5456 Cardinal Drive  
Stevens Point WI 54481

Marvin Hafenbreadl Item #15 - Finance Committee Meeting of July 12, 2000  
3065 Water Street  
Stevens Point WI 54481

Mike Wimme Item #15 - Finance Committee Meeting of July 12, 2000  
2411 Shadowview Circle  
Plover WI 54467

Thad Klasinski Item #15 - Finance Committee Meeting of July 12, 2000  
317 Prentice 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 adoption of the resolution - authorizing Marcus Cable Partners, dba Charter Communications, to temporarily operate the cable communication system.

Ald. Rackow stated the City of Stevens Point still does not have a franchise agreement with Charter Communications. Attorney Brian Grogan has recommended the City extend the franchise agreement with Charter Communications from the time it expires to keep with the bargain and be legal.

Mayor Wescott stated Charter Communications had notified the City that a different attorney has been added to represent their interests. The drafting of the needs assessment for the City of Stevens Point continues. The technical committee is working on scheduling another meeting with Charter Communications.

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

Mayor Wescott stated in regards to Charter Communications charging a seven-percent franchise fee to its cable subscribers, the law clearly says it is our position that a five-percent franchise fee is permitted. Attorney Grogan is asking for clarification from Charter Communications for the reason for charging a seven-percent fee. First, Attorney Grogan needs additional time to thoughtfully review the response from Charter Communications on his June 29, 2000 letter. **Attorney Grogan will forward a recommendation to the Mayor s office in a timely manner. Secondly, staff will work with Attorney Grogan and City Attorney Molepske in a coordinated local and regional legal effort to investigate if a possible violation of franchise agreement between the City of Stevens Point and Charter Communications may have occurred. If the investigation concludes a violation of the franchise agreement has occurred, the Mayor will then ask our lawyers to draft an appropriate resolution which will be presented to the City Council for formal action in the month of August.**

## 6. Public Protection Committee meeting of July 10, 2000.

Ald. Niedbalski moved, Ald. Sevenich seconded, for approval of the Public Protection Committee minutes of July 10, 2000.

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

7. Personnel Committee meeting of July 10, 2000.

Ald. Rackow moved, Ald. Barr seconded, for approval of the Personnel Committee minutes of the July 10, 2000.

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

8. Special Personnel Committee meeting of July 17, 2000.

Clerk Zdroik read the Special Personnel Committee minutes of July 17, 2000.

Ald. Pazdernik moved, Ald. Rackow seconded, for approval of the Special Personnel Committee minutes of July 17, 2000.

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

9. Board of Public Works meeting of July 10, 2000.

Ald. Walther moved, Ald. Molski seconded, for approval of the Board of Public Works minutes of July 10, 2000.

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

10. Resolution on the Submission of the Statement of Project Intentions for 6-year Airport Improvement Plan.

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

Ald. Seiser received a call suggesting the use of the airport has increased greatly in the last several years and is concerned about the noise. Upgrading the airport would encourage additional use of the airport increasing the traffic noise.

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

11. Finance Committee meeting of July 10, 2000.

Ald. Barr moved, Ald. Pazdernik seconded, for approval of the Finance Committee minutes of July 10, 2000, with item #6 pulled for further discussion.

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

Ald. Seiser stated at the Board of Park Commissioners meeting, the commissioners recommended the construction of new towers in any city park be prohibited. Antennas will only be allowed on existing light poles. Ald. Seiser is concerned the natural beauty of the parks will be affected by the placement of the antennas in the parks. Ald. Seiser would like to see the light pollution reduced in our city parks.

Director Schrader said the Board of Park Commissioners called together a subcommittee to thoroughly research the locating of cell phone antennas in the city parks. The Board of Park Commissioners recommended locating the cell phone antennas on existing towers not to exceed 20 feet higher than the original pole.

Ald. Sevenich moved, Ald. Pazdernik seconded, to adopt item #6 of the Finance Committee minutes of July 10, 2000, as presented.

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

12. Ordinance Providing for Payment of Special Assessments in Three Installments.

Ald. Niedbalski moved, Ald. Walther seconded, for adoption of the ordinance providing for the payment of special assessments in three installments.

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

13. Resolution Designating Authorized Depositories.

Ald. Pazdernik moved, Ald. Seiser seconded, for adoption of the resolution designating authorized depositories.

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

14. Authorizing the City to seek appraisals of properties for the possible expansion of parks.

Ald. Niedbalski moved, Ald. Nealis seconded, for approval authorizing the City to seek appraisals of properties for the possible expansion of the city parks.

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

15. Finance Committee meeting of July 12, 2000.

Marvin Hafenbreadl, representing the Youth Sports Complex, stated more people would be interested in hockey if better practice times would be available. Why would anyone want to get up at 6:00 A.M. to practice? Mr. Hafenbreadl said his daughter wanted to play on the traveling soccer team but had to quit due to the high cost for hotels and food in other cities. We need more space. This is not just an investment in our community, it is an investment in our children.

Thad Klasinski, representing the Youth Sports Complex, said our community has a collective objective to enhance the quality of life for all people in central Wisconsin. Mr. Klasinski stated organized sports activities encourage popular decision making and help develop important life skills like self-confidence, self-worth, and self-esteem. The Portage County Youth on Ice, Portage County Youth Soccer, and many other youth sports providers in our community have come together to accomplish a collective goal. The goal is to broaden youth sports opportunities for all youth in our community. Mr. Klasinski said the proposal for the Youth Sports Complex meets the criteria for room tax funding.

Mayor Wescott entered into the formal record the letter dated July 17, 2000, from Charles Kell, Portage County Planning and Zoning, regarding the **Portage County Urban Park Proposal and also the 89 form letters received by the Mayor's office on July 17, 2000, supporting the room tax allocation for the Youth Sports Complex.**

Ald. Barr moved, Ald. Phillips seconded, for approval of the Finance Committee minutes of July 12, 2000, with the item on the Youth Sports **Complex be referred back to the Room Tax Committee for further review due to the Portage County's recent announcement regarding the urban park proposal.**

Ald. Barr does not want to refer all the other items back to the Room Tax Committee since they have already been approved by three committees.

Ald. Pazdernik said for the exact reason Ald. Barr does not want to hold up the other items, the Youth Sports Complex project should not be held up either.

Ald. Seiser would like to pass the Finance Committee minutes of July 12, 2000, including the Youth Sports Complex project.

Roll Call: Ayes: Ald. Sevenich, Kedrowski, Barr, Rackow, Molski, Nealis, Phillips, Niedbalski.

Nays: Ald. Walther, Pazdernik, Seiser.

Ayes - 8. Nays - 3. Motion carried.

Ald. Rackow moved, Ald. Nealis seconded, that the project for the 2713 - Phase II, storage building, be taken up by the Finance Committee in June, 2001.

Ald. Barr clarified the Finance Committee did not object to the storage building, the committee objected to the \$90,000 cost for the project.

Ald. Rackow said this will give us eleven months to consider if the city will want to hire a consultant for the storage building plans or reevaluate the current plans.

Roll Call: Ayes all.

Nays none. Motion carried.

16. Board of Park Commissioners meeting of July 5, 2000.

Ald. Phillips moved, Ald. Seiser seconded, for approval of the Board of Park Commissioners minutes of July 5, 2000.

Roll Call: Ayes all.

Nays none. Motion carried.

17. Board of Water and Sewage Commissioners meeting of July 10, 2000.

Ald. Rackow moved, Ald. Sevenich seconded, for approval of the Board of Water and Sewage Commissioners minutes of July 10, 2000.

Roll Call: Ayes all.

Nays none. Motion carried.

18. Various Reports

**Comptroller-Treasurer's report - May 2000.**

Police and Fire Commission Meeting of July 11, 2000.

Transportation Commission minutes of July 12, 2000.

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

Roll Call: Ayes all.

Nays none. Motion carried.

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

None.

20. Adjournment - 7:45 P.M.

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