

Meeting Minutes
REGULAR COUNCIL MEETING
Council Chambers
June 21, 1999
County-City Building
7:00 P.M.

Mayor Gary W. Wescott, presiding

Roll Call: Present: Ald. Sevenich, Walther, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger, Nealis, Phillips, Niedbalski
Also Present: Comptroller-Treasurer Schlice, City Attorney Molepske, City Clerk Zdroik, Directors Gardner, Van Alstine, Schrader; Police Chief Carpenter, Fire Chief Ugorek, Assessor Kuehn, Transit Mgr. Lemke, Personnel Specialist Jakusz, County Personnel Director Freiberg, Adm. Asst. Bumgarner, Secretary Kari Yenter, Susan Kampmeier (Journal), Mike Kemmeter (WIZD)

2. Salute to the flag and prayer.

On this first day of summer, Mayor Wescott offered thoughts to the Village of Iola residents during their tragedy. Elected officials and city employees once again have the opportunity to serve the wonderful citizens of Stevens Point.

3. Approval of minutes of the Regular Common Council meeting of May 17, 1999.

Ald. Rackow moved, Ald. Walther seconded, to approve the regular council minutes of May 17, 1999.

Roll Call: Ayes all.

Nays none. Motion carried.

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

Trish Bey Item #21 - Beer Garden at Crazy Days
1512 Dennis Drive
Plover, WI 54467

Joe Elia Item #21 - Beer Garden at Crazy Days
1324 Second Street
Stevens Point, WI 54481

Pat Laabs Item #21 - Beer Garden at Crazy Days
1055 Main Street
Stevens Point, WI 54481

Marcia Yockers Item #21 - Beer Garden at Crazy Days
4056 Simonis Street
Stevens Point, WI 54481

Scott Behm Item #29 & #30 - Telecommunications
Wausau, WI

Attorney Gary Dreier Item #5 - Modification to conditional use-Goodwill
2900 Hoover Avenue
Stevens Point, WI 54481

Rudy Ottersen Item #5 - Modification to conditional use-Goodwill
2819 Indiana Avenue
Stevens Point, WI 54481

Steve Katner Item #5 - Modification to conditional use-Goodwill
1504 Marges Lane
Stevens Point, WI 54481

Marie Kruschwitz Item #6 - Sexual Oriented Business
3249 Leahy Avenue
Stevens Point, WI 54481

Tom Scharff Item #31 - Stevens Point Dam
Wisconsin Rapids, WI

Michelle Bjella Item #6 - Sexual Oriented Business
1908 Lynda Lane
Stevens Point, WI 54481

Gerald Geishart Item #15 - Conditional Use-Underground
Wisconsin Rapids, WI

5. Plan Commission meeting of June 7, 1999.

Ald. Aldinger moved, Ald. Rackow seconded, for approval of the Plan Commission minutes of June 7, 1999, with items #5 and #6 pulled for further discussion.

Roll Call: Ayes all.

Nays none. Motion carried.

Attorney Dreier, representing Tom Markovich, is requesting variance behind the Goodwill Store. This is not a demand but a request. The current decorative fence meets all the zoning codes. Two of the major problems with the current location of the fence is snow removal from the lot and the exiting and/or entering of vehicles.

Rudy Ottersen stated Mr. Dreier has pretty well outlined the situation.

Steve Katner, adjacent property owner, stated the original site plan showed only one building down the center and a building at each end, however the owner constructed two buildings in the center. Mr. Katner said his property is being devalued. He feels the request should be denied.

Ald. Nealis received a call from Plan Commissioner Steffen who stated he voted on the plans. After doing an on-site inspection of the fence at the Goodwill Store, Mr. Steffen said he would reverse his vote.

Director Gardner questioned what will happen with item #19-public hearing - conditional use at 5375 Highway 10 East and #20-Resolution.

City Attorney Molepske said we can still have the public hearing.

Director Gardner asked if comments stated under item #5 will be sufficient.

City Attorney Molepske stated any new information regarding the request to modify the conditional use permit for Goodwill Store may be brought up during the public hearing.

Mayor Wescott stated the items addressed during item #5 will lay on the table until item #19 - public hearing-amendment to the existing conditional use at 5375 Highway 10 East. The comments will be entered into the record.

Ald. Niedbalski stated he pulled item #6-Sign Variance Request at 5474 Highway 10- East to vote on individually. The alderman has a problem with the Plan Commission holding the ordinances to the law even if the variance request is to the benefit of the person asking for the request.

Ald. Rackow moved, Ald. Pazdernik seconded, to deny the request to modify the conditional use permit at 5375 Highway 10 East behind the Goodwill Store and deny the sign variance request for Shippy Shoes as outlined in the Plan Commission minutes of June 7, 1999.

Ald. Rackow said he is a member of the Plan Commission and weary of some of the variance requests because how we under mind after long discussion. The variances are not one of a kind thing.

Roll Call: Ayes: Ald. Phillips, Aldinger, Rackow, Barr, Kedrowski, Perlak, Pazdernik, Sevenich.

Nays: Ald. Niedbalski, Nealis, Walther.

Ayes - 8. Nays - 3. Motion carried.

6. Public hearing - amendment to the zoning ordinance - Sexual Oriented Business, was declared open by the Mayor.

Marie Kruschwitz voiced her concerns regarding the Sexual Oriented Business ordinance. Mrs. Kruschwitz stated the 500-foot buffer is unacceptable to the neighbors. She recommended increasing the buffer to 1000 feet or even 1500 feet. There are studies that show these types of businesses have negative impacts on the neighborhood.

Michelle Bjella, a parent and community member, said there is no inherent value to have such a business allowed here, but if it will be allowed, it should be as far from view as possible.

Mayor Wescott declared the public hearing closed.

Ald. Barr expressed his concern about the 500-foot setback. The alderman was hoping we could have more of a buffer.

City Attorney Molepske stated whether we like it or not, the law does allow this type of business. The City Attorney asked Community Development Director Gardner where would a 1000-foot buffer put us as far as percentage of allowable land for these businesses to locate?

Director Gardner said he does not have an exact answer to that question. If the setback were increased, the city would approximately eliminate the areas west of Plover River, nearly all properties west of Hoover Road, south side of Industrial Park, and some areas on Brilowski Road. That would put the city below the 5% guideline.

City Attorney Molepske said the current law states 5% of the city land can be available for Sexual Oriented Businesses to locate.

Director Gardner stated the zoning amendment is not ideal for residents living in that area, it does restrict where such businesses can locate. The current zoning ordinance would allow sexually oriented businesses to operate in any commercial zoned area including the retail business areas.

Although Ald. Rackow understands the objection to the 500-foot setback, this is probably pretty close to as good as we can get without having the ordinance overturned.

Ald. Kedrowski asked if we pass the 500-foot buffer at this time, how hard would it be to modify if necessary?

City Attorney Molepske stated the work has already been accomplished. We are already down to 7% of city land allowable for these businesses.

Mayor Wescott noted for the record that each alderperson was supplied with a 19-page study. The gist of the study is an increase in crime in the area and decrease in property values.

7. Ordinance on the above.

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

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

Nays: None. Motion carried.

8. Public hearing - amendment to the zoning ordinance - East Oak Subdivision and Parkdale Development - Highway 10 East/Brilowski Road, 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. Aldinger moved, Ald. Sevenich seconded, for adoption of the ordinance.

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

10. Resolution - Final Plat of East Oak Subdivision.

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

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

11. Public hearing - granting a Conditional Use - Partner's Pub - 2600 Stanley Street, was declared open by the Mayor.

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

12. Resolution on the above.

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

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

13. Public hearing - granting a Conditional Use - Route 66 Tap and Grill - 3726 North Point Drive, 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. Perlak moved, Ald. Rackow seconded, for adoption of the resolution.

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

15. Public hearing - granting a Conditional Use - The Underground - 1009 Clark Street, was declared open by the Mayor.

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

16. Resolution on the above.

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

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

17. Public hearing - granting a Conditional Use - Crocus Estates LLC (20-bed Community Based Residential Facility) - 2301 Eagle Summit, was declared open by the Mayor.

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

18. Resolution on the above.

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

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

19. Public hearing - amendment to the existing Conditional Use - 5375 Highway 10 East, was declared open by the Mayor.
Statements made on item #5 are on record.

Mayor Wescott asked for any additional comments to this item.

Steve Katner invited everyone to do an on site inspection of the fence behind the Goodwill Store. Mr. Katner stated he has lived at his current residence for the past 10 years and the fencing setback would devalue his property. They went ahead and constructed more buildings than originally planned and now they want you to help them.

Rudy Ottersen said the developers constructed what was planned and this can be verified by Mr. Gardner.

Susan Katner is concerned for the safety of their two young children. We are good neighbors to them and wish them to be good to us.

Mayor Wescott declared the public hearing closed.

20. Resolution on the above.

Ald. Nealis would like to see this item referred back to the Plan Commission in 30 days. The Alderman said he cannot see how the decorative fence could devalue the neighboring property.

Ald. Nealis moved, Ald. Perlak seconded, to direct the Resolution - Amending the existing Conditional Use at 5375 Highway 10 East to the Plan Commission in July.

Ald. Phillips asked what was originally approved and why are they now asking for the variance?

Director Gardner stated the plans for this development are included in the council packets. This is a request for a conditional use not a variance. The buildings and fence were installed as planned.

Ald. Phillips said the original proposal showed 20 feet from the fence.

Director Gardner stated the original plans showed 20 feet from the property line.

If we want to protect the neighbors then do not return this item to the Plan Commission, Ald. Phillips said. Let us vote on this item today.

Ald. Nealis added there is a lot of room to setback the fence, even set the fence back five or eight feet. He suggests returning this item back to the Plan Commission for further studies.

Ald. Kedrowski said if we do not grant the modification to the conditional use permit, we are in violation of the zoning ordinance.

Director Gardner noted we are not in violation now. The fence is 20 feet from the property line and the building is 10 feet from the fence. The owner requests that the setback of the fence along the east property line be modified from the previously approved 20' to a 10' setback.

Ald. Aldinger is sympathetic to the residents.

Ald. Rackow agrees the development of the buildings is not working so let the developer figure out how to make it work.

Ald. Nealis asked that everyone physically inspect the Goodwill Store property before making a vote.

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

Nays: Ald. Phillips, Aldinger, Kedrowski, Sevenich.

Ayes - 7. Nays - 4. Motion carried.

21. Public Protection Committee meeting of June 14, 1999.

Ald. Niedbalski moved, Ald. Rackow seconded, for approval of the Public Protection minutes of June 14, 1999, with item #7 pulled for further discussion.

Roll Call: Ayes all.

Nays none. Motion carried.

Ald. Sevenich said the beer garden during Crazy Days has prompted some controversy. Crazy Days is a family event and should be continued that way. Several years ago, beer was served downtown and did not show much profit.

Deb Knippel s letter was put on record at this time.

Pat Laabs does not see the beer garden during Crazy Days being different than serving beer during the Riverfront Rendezvous. The emphasis of Crazy Days is not on the beer, but on a variety of activities planned for the event.

Marcia Yockers, Portage County Intervention for Youth, stated turning every community event into an alcohol related event is not a sound idea. The choice adults make about drinking has an impact on our youth. The beer garden revenue will pay for the entertainment but what is really the emphasis. Is this really what we want for our community?

Ald. Pazdernik moved, Ald. Kedrowski seconded, to extend licensed premises - Joe Mama's Catering for the final day of Crazy Days Sidewalk Sale and Downtown Street Festival on July 14, 1999.

This was a tough decision for the Council, Ald. Niedbalski said. The extension of the licensed premises is permitted as a conditional use. Should problems occur this will never be permitted again.

Ald. Rackow stated the business owners of the downtown shops have trouble getting together on anything. The business owners worked together on this issue and agreed to it. The alderman said he is in favor of the beer garden during Crazy Days.

Ald. Walther would like to give this a chance for downtown revitalization.

Ald. Nealis said it is too bad we feel we need a beer garden to attract people downtown. Do you want to attract that kind of people downtown?

Ald. Barr cannot see denying the beer garden downtown after approving churches to serve beer during their picnics.

Ald. Kedrowski compared the beer garden to the granting of beer sales during the car show at Piffner Pioneer Park. The beer garden is not intended to be a drinking festival, but something where people can relax and listen to the music. The beer garden hours are limited to the hours of 3:00 P.M. to 9:00 P.M.

Ald. Phillips stated the beer garden has nothing to do with this event. The Police Department also have a problem with the beer garden. Why bring

beer outdoors?

Roll Call: Ayes: Ald. Walther, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger, Niedbalski.
Nays: Ald. Sevenich, Nealis, Phillips.
Ayes - 8. Nays - 3. Motion carried.

22. Board of Public Works meeting of June 14, 1999.

Ald. Perlak moved, Ald. Aldinger seconded, for approval of the Board of Public Works minutes of June 14, 1999, with item #2D pulled for further discussion.

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

Ald. Niedbalski stated Second Street, formerly Highway 51, has been a safe through street forever. The public opposes installing stop signs north and southbound on Second Street at the intersection with Maria Drive. The public did not have a chance for any input on this issue. There are **crossing guards at the intersection of Second Street and Maria Drive to assist the school children cross the street safely. In 5 ½ years, only six accidents occurred at this intersection. One accident was due to icy road conditions and another accident occurred after school hours.**

Ald. Niedbalski moved, Ald. Nealis seconded, to table the installation of stop signs north and southbound on Second Street at the intersection with Maria Drive.

Roll Call: Ayes: Ald. Sevenich, Walther, Pazdernik, Barr, Rackow, Aldinger, Nealis, Phillips, Niedbalski.
Nays: Ald. Perlak, Kedrowski.
Ayes - 9. Nays - 2. Motion carried.

23. Preliminary Resolution for installation of sidewalk on both sides of Wilshire Boulevard from its intersection with Main Street to its intersection with Prais Street.

Ald. Rackow moved, Ald. Pazdernik seconded, for adoption of the preliminary resolution.

Roll Call: Ayes: Ald. Sevenich, Walther, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger, Nealis, Niedbalski.
Nays: Ald. Phillips.
Ayes - 10. Nays - 1. Motion carried.

24. Finance Committee meeting of June 14, 1999.

Ald. Barr moved, Ald. Phillips seconded, for approval of the Finance Committee minutes of June 14, 1999, with item #4 pulled for no action.

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

25. Personnel Committee meeting of June 14, 1999.

Ald. Rackow moved, Ald. Walther seconded, for approval of the Personnel Committee minutes of June 14, 1999.

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

26. Board of Park Commissioners meeting of June 2, 1999.

Ald. Nealis moved, Ald. Phillips seconded, for approval of the Board of Park Commissioners minutes of June 2, 1999.

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

27. Resolution - adopting covenants - Yulga Park.

Ald. Aldinger moved, Ald. Nealis seconded, for adoption of the resolution.

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

28. Board of Water and Sewage Commissioners meeting of June 14, 1999.

Ald. Niedbalski moved, Ald. Rackow seconded, for approval of the Board of Water and Sewage Commissioners minutes of June 14, 1999.

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

29. Telecommunications Commission meetings of May 24 and June 17, 1999.

Ald. Rackow moved, Ald. Pazdernik seconded, for approval of the Telecommunications Commission minutes of May 24 and June 17, 1999.

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

30. Resolution regarding the timely submission of a required business plan by Marcus Cable Partners, LLC.

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

Ald. Rackow noted the City is still waiting for one report to be submitted by Charter Communications. A letter dated June 18, 1999, was received from Charter Communications stating they are still working on this report.

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

31. Motion to intervene relicensing of the Stevens Point Dam.

Ald. Nealis said the city as a whole is adversely affected by this situation. The alderman said if the city decides in the future to undertake this project, it will be vital to have Consolidated Water Power Company's full legally binding commitment to aid us in this project. The Alderman suggested if the city could remove some properties from the flood plain, taxpayers might save money on flood insurance and could see higher property values. Many home owners within the flood plain cannot add on to their residence or build additional garages, etc. Unimproved properties means less tax base for the city.

Tom Scharff, Vice President and General Manager of Consolidated Water Power Company, stated Consolidated is required as a dam owner to operate in the best interest of the residents who live both upstream and downstream of a dam during high water or floods. We pride ourselves on being a good neighbor. Mr. Scharff said he is not here tonight to convince you not to petition the Federal Energy Regulatory Commission to intervene. Consolidated Water Power Company demonstrates a commitment to be a good corporate citizen and good neighbors. The firm will continue to work with the community regardless of the council's decision.

City Attorney Molepske explained the City of Stevens Point is an interested party regarding the flood plain issue and requests the Federal Energy Regulatory Commission to allow the City to express their concerns to the Commission about the relicensing issue.

Ald. Phillips asked Assessor Kuehn how much would the property value increase?

Assessor Kuehn stated removing property from the flood plain status does not guarantee instant property value increase. If the property value should increase, the amount of the increase all depends on the market forces and what the buying public is willing to pay for buildable land.

Ald. Phillips said some of the properties on Elk Street are in the flood plain. If removed from the flood plain, at what percent would those properties increase?

Assessor Kuehn stated she can not tell at what percentage it would increase. Only the market will tell you that.

Mayor Wescott asked Assessor Kuehn if she ever recalled any depressed property value because of the flood plain?

Assessor Kuehn is not aware of any studies of this. The assessor said the property owners located in the flood plain are required to purchase flood insurance which costs approximately \$300 to \$400 per year.

Ald. Phillips asked do you know of any circumstances that might happen to take the properties off of the flood plain?

City Attorney Molepske answered a study would have to be performed to prove that area will not flood.

Ald. Phillips would like to know what the city is all getting involved with?

Mayor Wescott explained that asking the Federal Energy Regulatory Commission to intervene is no guarantee that the City of Stevens Point properties would be removed from the flood plain. This motion is not intended to reduce the flood plain.

City Attorney Molepske said the City of Stevens Point has the right to intervene. What do we want? The City Attorney asked Ald. Phillips if he was asking what the costs would be to the city?

Ald. Phillips asked if we vote in favor of the motion to intervene and problems are found, will we spend the money to correct it?

If a problem is located, the city may see some costs to cure the problem, the City Attorney said.

Ald. Nealis asked if the city would incur costs if the city should decide to?

City Attorney Molepske stated yes.

Ald. Pazdernik asked if the City is being protected with the motion to intervene. If we do not intervene, do we have a lesser chance that Consolidated will help us?

Mayor Wescott stated the motion to intervene simply means the city will ask the Federal Energy Regulatory Commission to review the city's petition before relicensing Consolidated Water Power Company's dam. There is no assurance the Federal Energy Regulatory Commission will take out the petition. Is there a legal protection we are granting ourselves by doing that?

City Attorney Molepske said that is a policy question at least at an open meeting tonight as opposed to a legal question. We are under a time line.

Ald. Aldinger questioned what is Consolidated Water Power Company's position in this intervention?

Mr. Scharff stated whether you intervene or not, we are here to work with the city.

Mayor Wescott asked will Consolidated work with the City of Stevens Point, Department of Natural Resources, and Army Corps of Engineering regarding the flood plain issue long after the relicensing date?

Mr. Scharff stated we are here to work with the city. I do not know what the answer is, but we are here to help you try to find that out.

Ald. Pazdernik asked if the flood plain is caused by the dam?

Mayor Wescott said we would still have a flood plain if dam were not there.

Director Gardner said you have a flood plain because you have a river. The dam is not accountable for having all of the properties within the flood plain. Whether it would look exactly the same is the question.

Ald. Pazdernik then asked if the flood plain is larger or smaller because of the dam?

Director Gardner does not have an answer to that question.

Ald. Rackow was not convinced at the meeting with the Department of Natural Resources and the Army Corps that there would be no chance of increasing more properties in the flood plain.

Ald. Nealis recalls the Department of Natural Resources spokesman stating no more properties can be added to the flood plain. The goal is to fashion some type of legal agreement. This is the reason why the City of Stevens Point should file the motion to intervene. The alderperson is asking Consolidated to work with us.

Ald. Pazdernik said according to Consolidated, it does not matter to them if we file to intervene or not, they will still work with the city.

Ald. Barr asked if we do not intervene at this time, when can we intervene again?

City Attorney Molepske said the license is a 30 year license so this is the end of it for a long time.

Ald. Nealis moved, Ald. Pazdernik seconded, to approve the motion to intervene the relicensing of the Stevens Point Dam.

Director Gardner asked Ald. Nealis if he was asking Consolidated to eliminate all of the flood plain in all of the city or are you looking at specific areas?

Ald. Nealis stated the entire city adjacent to the Stevens Point Dam.

Ald. Rackow said Consolidated has been a good corporate neighbor and a good corporate citizen. The dam was in place before most of Stevens Point.

Ald. Nealis said 30 years is a long time and a lot of changes can occur in 30 years.

Mayor Wescott wants to make sure we are not giving the people residing in the flood plain area false hope that if we file a motion to intervene the flood plain will automatically change.

The Federal Energy Regulatory Commission may not even accept our motion. The motion to intervene is not the automatic success path to change the flood plain.

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

Nays: Ald. Niedbalski, Phillips, Aldinger, Rackow, Barr.

Ayes - 6. Nays - 5. Motion carried.

32. Reports of various officers and commission.

Comptroller-Treasurer's report - April 1999.

Police and Fire Commission minutes of June 15, 1999.

Ald. Rackow moved, Ald. Perlak seconded, to accept the reports and place them on file.

Roll Call: Ayes all.

Nays none. Motion carried.

33. Mayor's appointments.

Ald. Rackow moved, Ald. Perlak seconded, for confirmation of the appointments.

Roll Call: Ayes all.

Nays none. Motion carried.

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

Ald. Kedrowski announced the historical marker for the 2713 train project was put up this spring. The alderperson thanked everyone who helped with the project. This is a nice attraction to the city.

35. Adjournment - 9:10 P.M.

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