

Meeting Minutes  
REGULAR COUNCIL MEETING  
Council Chambers  
July 19, 1999  
County-City Building  
7:00 P.M.  
Mayor Gary W. Wescott, presiding

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

2. Salute to the flag and prayer.

Mayor Wescott offered thoughts and prayers this evening to the family and friends of John F. Kennedy Jr., his wife, and sister-in-law.

3. Approval of minutes of the Regular Common Council meeting of June 21, 1999.  
Ald. Rackow moved, Ald. Aldinger seconded, to approve the regular council minutes of June 21, 1999.

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

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

Bill Bayba Item #7 - Second Driveway Request at 5509 Hwy. 10 East  
3416 Teton Drive  
Stevens Point, WI 54481

Steve Katner Item #10 - Amend conditional use 5375 Highway 10 East  
1504 Marge's Lane  
Stevens Point, WI 54481

Brian Formella Item #10 - Amend conditional use 5375 Highway 10 East  
2840 Post Road  
Plover, WI 54467

Renee Schneeberg Item #10 - Amend conditional use 5375 Highway 10 East  
5422 Floral Lane  
Stevens Point, WI 54481

5. Public Hearing - issuance of Industrial Development Revenue Bonds in the amount of \$2,451,000.00 on behalf of the YMCA.

Mayor Wescott announced this item be returned to the Common Council on August 16, 1999.

6. Resolution on the above.

Ald. Rackow moved, Ald. Perlak seconded, to refer the issuance of Industrial Development Revenue Bonds in the amount of \$2,451,000.00 on behalf of the YMCA to the Common Council meeting August 16, 1999.

Roll Call: Ayes all  
Nays none. Motion carried.

7. Plan Commission meeting of July 12, 1999.

Bill Bayba stated one driveway was eliminated when they combined with CAP Services and aligned with Wildwood Drive. At one point, signal lights were to be placed at the intersection of Highway 10 East and Wildwood Drive. Mr. Bayba is requesting to allow a second driveway adjacent to Auto Glass Specialists as a right-turn-in and right-turn-out driveway only. This request is similar to the limited access point which was approved for the Fairfield Inn.

Ald. Rackow moved, Ald. Phillips seconded, for approval of the Plan Commission minutes of July 12, 1999, with item #6 pulled for discussion.

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

Ald. Rackow, a member of the Plan Commission, voted to deny the second driveway. The alderman is changing his decision in a luke warm fashion. Using a driveway of another business is not desirable.

Ald. Pazdernik asked if signal lights will be installed at the intersection of Highway 10 East and Wildwood Drive at some point?

Mayor Wescott stated the wiring is in place for signal lights but there has been no attempt to put in signals at this time.

Bill Bayba said the driveway was lined up with Wildwood Drive because of the understanding that signal lights would be placed at this intersection.

Ald. Nealis asked if City staff recommends the second driveway?

Mayor Wescott said only as a right-turn-in and right-turn-out driveway.

Ald. Nealis then asked if the vote is on the driveway as a right-turn-in and right-turn-out only?

Ald. Kedrowski asked if the police department had a chance to look at this situation?

Chief Carpenter stated the police department agrees with a second driveway with a limited right-turn-in and right-turn-out only.

Ald. Rackow moved, Ald. Perlak seconded, to approve the request at 5509 Highway 10 East as a right-turn-in and a right-turn-out only with a build up median at the expense of the developer with the driveway to be closed if and when traffic signals are installed at Wildwood Drive.

Ald. Perlak asked Director Gardner if the Department of Transportation has to approve this project first?

Mayor Wescott said the Department of Transportation is in acceptance of the right-turn-in and right-turn-out driveway only.

Director Gardner agrees.

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

8. Resolution - Preliminary Plat - Parkdale Development.

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

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

9. Introduction of resolution vacating a 50 feet by 60 feet right-of-way- along Highway 10 East between Amber Avenue and Badger Avenue.

Ald. Aldinger moved, Ald. Niedbalski seconded, for adoption of the introduction of the resolution vacating a 50 feet by 60 feet right-of-way along Highway 10 East between Amber Avenue and Badger Avenue.

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

10. Amend conditional use 5375 Highway 10 East.

Steve Katner, adjacent property owner, presented a site plan that shows the 20' buffer to the fence. Mr. Katner stated the rear side of his residence faces the commercial property and expressed the importance of maintaining the value of the residential property.

Attorney Brian Formella said there is a legal justification to deny the request.

Renee Schneeberg, property owner in the area, expressed concern with saving the trees and the problem with noise pollution.

Ald. Rackow moved, Ald. Aldinger seconded, to deny the request to amend the conditional use at 5375 Highway 10 East.

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

11. Public hearing - amending Zoning Ordinance classifying territory from "R-2" Single Family Zoning to "M-1" Light Industrial Zoning - 800 Whiting Avenue, was declared open by the Mayor.

Edith Pankowski, owner of the property at 808 Whiting Avenue, stated this property has been zoned single family since 1936. Mr. Piotrowski purchased his property knowing it was zoned single family. This is a nice neighborhood and not the place for industrial use.

Chris Piotrowski reviewed the uses of the neighboring properties he is asking to rezone. Mr. Piotrowski has a signed petition from neighbors in support of his project. He is not planning a big industry, just a storage building.

At this time, Mr. Piotrowski's pictures and paperwork were entered into the record.

12. Resolution on above.

Ald. Rackow moved, Ald. Pazdernik seconded, to deny the resolution.

Ald. Phillips moved, Ald. Niedbalski seconded, to amend the motion to rezone 800 Whiting Avenue from "R-2" Single Family zoning to Commercial zoning.

Ald. Niedbalski asked if this motion is proper?

Ald. Phillips' motion was ruled out of order.

The following vote is on the main motion.

Roll Call: Ayes: Ald. Aldinger, Rackow, Pazdernik, Walther, Sevenich.  
Nays: Ald. Niedbalski, Phillips, Nealis, Kedrowski, Perlak.  
Ayes - 5. Nays - 5. Tie vote. Mayor Wescott voted "Nay". Motion defeated.

City Attorney Molepske asked if industrial use and commercial zoning are the same?

Director Gardner answered commercial zoning would have some restrictions.

Ald. Phillips had concerns about Sexual Oriented Businesses locating in this area. However, the alderman is in favor of the commercial zoning.

Ald. Phillips moved, Ald. Niedbalski seconded, to approve amending zoning ordinance classifying territory from "R-2" single family zoning to commercial zoning - 800 Whiting Avenue and refer this request back to the Plan Commission meeting in August.

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

13. Public Protection Committee meeting of July 12, 1999.

Ald. Niedbalski moved, Ald. Phillips seconded, for approval of the Public Protection minutes of July 12, 1999, with item #3 pulled for discussion.

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

Ald. Rackow said there has been some communication problems as to the number of pigeons that can be kept at 1916 Welsby Avenue.

Ald. Rackow moved, Ald. Kedrowski seconded, to approve keeping up to 24 pigeons on the property at 1916 Welsby Avenue.

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

14. Special Public Protection Committee meeting of July 19, 1999, and adoption of nuisance abatement resolution.

Ald. Perlak moved, Ald. Sevenich seconded, for approval of the Special Public Protection minutes of July 19, 1999, and the adoption of the nuisance abatement resolution.

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

15. Resolution declaring 618 Washington Avenue a public nuisance and authorizing City Attorney to request court abatement action.

Ald. Walther moved, Ald. Perlak seconded, for adoption of the resolution declaring 618 Washington Avenue a public nuisance and authorizing City Attorney to request court abatement action.

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

16. Personnel Committee meeting of July 12, 1999.

Ald. Rackow moved, Ald. Pazdernik seconded, for approval of the Personnel Committee minutes of July 12, 1999.

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

17. Board of Public Works meeting of July 12, 1999.

Ald. Aldinger moved, Ald. Perlak seconded, for approval of the Board of Public Works minutes of July 12, 1999.

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

18. Public hearing - installation of sidewalk on both sides of Wilshire Boulevard from its intersection with Main Street to its intersection with Prais Street, was declared open by the Mayor.

Walter Jakusz, appearing on behalf of the Stevens Point Area Catholic Cemetery Association, expressed his concerns against the placement of sidewalks on Wilshire Boulevard. The Cemetery Association cannot see where a sidewalk around a cemetery would benefit anyone. Mr. Jakusz said the installation of sidewalks on Wilshire Boulevard would be quite costly to the Cemetery Association plus the association would also have to hire additional help to maintain the sidewalk.

Jerry Hild, 1033 Wilshire Boulevard, opposes the installation of sidewalks.

Mary Jo Reed, 3601 Prais Street, opposes the installation of sidewalks on Wilshire Boulevard for both safety factors and human factors. Ms. Reed does not think we need sidewalks on either side of the street.

Marlene Czerwinski, 1017 Wilshire Boulevard, stated for years we have not had a sidewalk. In the past, 14 children walked to and from school. The likelihood of having more children in this area is reduced as none of the residents in the neighborhood are of child-bearing age.

Michael Stemple, owner of the Airport Bar, stated the sidewalk would run through his parking lot thus eliminating some of the parking stalls. Mr. Stemple pays his property taxes to the Village of Park Ridge so his property is not even located in the City of Stevens Point. The City would then be responsible for the sidewalk.

Tom Gloudemans, 112 Greenbriar Avenue, asked who would pay for the installation of the sidewalk and who will maintain the sidewalks?

Director Van Alstine stated either the City of Stevens Point would be responsible for the costs of the installation of the sidewalk or the Village of

Park Ridge would allow the City to assess the costs to the property owners. The property owners would be responsible for maintaining the sidewalks.

Mayor Wescott asked if the sidewalks are installed in the right-of-way?

Director Van Alstine replied, yes.

Tom Gloudemans asked why the Village of Park Ridge residents would maintain City of Stevens Point sidewalks.

19. Final Resolution - installation of sidewalk on both sides of Wilshire Boulevard from its intersection with Main Street to its intersection with Prais Street.

Ald. Aldinger moved, Ald. Rackow seconded, to approve installation of sidewalk on the west side of Wilshire Boulevard from its intersection with Main Street to its intersection with Prais Street.

Ald. Aldinger proposes sidewalk on the west side of Wilshire Boulevard for the safety of the pedestrians. The placement of sidewalks in this area is consistent with the city's bicycle and pedestrian plan. The property owners on Wilshire Boulevard will have the option to pay for the installation of the sidewalk over 5-year or 10-year installments.

City Attorney Molepske is unsure whether the city can force the nonprofit association to pay approximately \$19,000 to install the sidewalk. In Milwaukee, the city could not force a cemetery group to pay for the sidewalk because a clause in the city's charter prevents that action.

Ald. Niedbalski asked how the installation of sidewalk would benefit the dead in the cemetery? This is going to be a financial problem for the cemetery association.

Ald. Pazdernik stated the sidewalk is installed in the right-of-way and the city owns the right-of-way.

City Attorney Molepske said that is correct.

Mayor Wescott explained the city cannot make Village of Park Ridge residents maintain the sidewalk.

City Attorney Molepske said an option is to levy these assessments against the properties and if these properties would annex into the City of Stevens Point, the assessments would be assessed at that time. However, Mr. Molepske does not foresee these properties annexing into the City of Stevens Point.

Ald. Kedrowski asked how the cemetery on Water Street was assessed for the installation of sidewalk?

Director Van Alstine stated the cemetery on Water Street is a city owned cemetery.

Ald. Kedrowski questioned the financial burden that sidewalks would place on the cemetery association.

City Attorney Molepske asked how the cemetery on Patch Street was assessed for sidewalks?

Director Van Alstine said the cemetery on Patch Street does not have sidewalks on their property.

Ald. Phillips is concerned for the safety of the children crossing Highway 10. The alderman asked why not put in signal lights at the intersection of Highway 10 and Wilshire Boulevard?

Chief Carpenter stated the police department clearly supports the installation of sidewalks on Wilshire Boulevard. Pedestrian safety is the main concern. There is a possibility of moving the signal lights to the intersection of Highway 10 and Wilshire Boulevard. Now is the time to support the change. If necessary, an adult crossing guard may be worked into the plans at the intersection of Highway 10 and Wilshire Boulevard.

Ald. Phillips stated signal lights at the intersection of Highway 10 and Wilshire Boulevard are not in the plans at this time.

Ald. Niedbalski said he sure would not want to be a crossing at this intersection without signal lights.

Ald. Walther cannot see any benefits of installing sidewalks on Wilshire Boulevard.

Ald. Sevenich supports the installation of sidewalks for the safety of the children but has a problem with the financing of the installation of the sidewalk.

Ald. Aldinger said the concern here is for the safety of the children. If the signal lights are installed at the intersection of Highway 10 and Wilshire Boulevard, the children will use this intersection to cross Highway 10 and then will have to walk down a street with no sidewalks.

Ald. Nealis would be in favor of installing sidewalks on Wilshire Boulevard once the signal lights are installed at the intersection of Highway 10 and Wilshire Boulevard.

Mayor Wescott said signal lights are in the plans to be installed on Highway 10 at Wilshire Boulevard in September or October, 1999.

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

Nays: Ald. Niedbalski, Phillips, Walther.

Ayes - 7. Nays - 3. Motion carried.

20. Ordinance - traffic.

Ald. Rackow moved, Ald. Aldinger seconded, for adoption of the ordinance.

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

Nays: None. Motion carried.

21. Finance Committee meeting of July 12, 1999.

Ald. Pazdernik moved, Ald. Rackow seconded, for approval of the Finance Committee minutes of July 12, 1999.

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

22. Resolution - transfer of funds.

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

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

23. Preliminary Resolution - blacktop both sides of an alley between Jefferson Street and Oak Street from Frontenac Avenue and California Avenue.

Ald. Rackow moved, Ald. Walther seconded, for adoption of the preliminary resolution - blacktop both sides of an alley between Jefferson Street and Oak Street from Frontenac Avenue to California Avenue.

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

24. Board of Park Commissioners meeting of July 7, 1999.

Ald. Kedrowski moved, Ald. Perlak seconded, for approval of the Board of Park Commissioners minutes of July 7, 1999, with item #5 pulled for further discussion.

Ald. Phillips commented on the closing of the Green Circle during the "Tator Town National Rod & Custom Show". The alderman is not supportive of this.

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

Ald. Kedrowski asked why the City of Stevens Point needs a Telephone Park? The west side of city has plenty of new development with telephones easily accessible. A telephone booth has also been placed at the intersection of Highway 10 and Strongs Avenue. The alderman felt the Telephone Park will create traffic problems. If there is a need to have a telephone on city property, place a telephone in Mead Park with signage. The Telephone Park is not a benefit to the west side of Stevens Point, the alderman said. Use this area as green space instead.

Ald. Niedbalski moved, Ald. Rackow seconded, for approval of the Telephone Park design as outlined in the Board of Park Commissioners minutes of July 7, 1999.

Ald. Rackow stated the City of Stevens Point should be unique and continue to have a Telephone Park. The alderman does not agree with phones being placed in Mead Park as this would create traffic problems.

Ald. Phillips asked if the Telephone Park follows the same rules as the other city parks?

Director Schrader stated the Telephone Park would close at 11:00 P.M. as do all the parks in the City of Stevens Point. Mr. Schrader went on to say if someone would be using the telephone after 11:00 P.M. and not bothering anyone, the police probably would not have a problem with that.

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

25. Board of Water and Sewage Commissioners meeting of July 12, 1999.

Ald. Walther moved, Ald. Nealis seconded, for approval of the Board of Water and Sewage Commissioners minutes of July 12, 1999.

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

26. Telecommunications Commission meeting of July 13, 1999.

Ald. Rackow moved, Ald. Phillips seconded, for approval of the Telecommunications minutes of July 13, 1999.

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

27. Reports of various officers and commission.  
Comptroller-Treasurer's report - May 1999.  
Transportation Commission minutes of June 30, 1999.  
Police and Fire Commission minutes of July 13, 1999.

Ald. Nealis moved, Ald. Perlak seconded, to accept the Comptroller-Treasurer's report of May 1999, and the Transportation Commission minutes of June 30, 1999, and refer the Police and Fire Commission minutes of July 13, 1999, back to the Police and Fire Commission.

Roll Call: Ayes all.

Nays none. Motion carried.

28. Mayor's appointments.

July 19, 1999 - July 19, 2004 ROOM TAX PLANNING COMMITTEE

Alderman Mike Phillips, 2302 Water Street, 341-4255-H 421-0400-W  
Alderman Perry Pazdernik, 2000 Main Street, 341-7052-H 346-6807-W  
Alderman Jack Barr, 3100 Heffron Street, 344-6817  
Park Commissioner Liz McDonald, 1760 Strongs Avenue, 346-6579  
Park Commissioner Michael Glodosky, 4409 Nicolet Avenue, 344-5517  
Bill Berry, 1973 Strongs Avenue, 341-9119  
Ann Shannon, 3648 Robert Street, 341-5469  
Tom Barrett, N6697 14th Avenue, Almond, 344-2556-W  
John Jury, 935 Old Wausau Road, 341-7198  
Larry Sipiorski, 1217 Ridge Road, 344-6827  
Mike Metcalf, 3170 Dan's Drive, 344-7655  
Kent Devantier, 620 Pinecrest Drive, Plover, 342-9224  
Brian Doudna, 3225 Martha's Lane, 344-1611

BOARD OF PARK COMMISSIONERS

Appoint Jim Sachs, 2102 California Avenue  
(Unexpired term Blake-Hertz - expires 05-01-00)

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

Roll Call: Ayes all.

Nays none. Motion carried.

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

Steve Cigelski, Mid-Point Sign & Graphics, 4925 Coye Drive, questioned how the Valley Communities Credit Union received a permit for a 120-square foot sign when the City of Stevens Point granted a conditional use permit for only 32 square feet.

Director Gardner responded the city issued a permit to the applicant based upon the smallest rectangle which encompasses all the words. We do not include the pedestal base in any of the area calculations.

Ald. Rackow addressed the objections from the public reference the beer tent during Crazy Days. In the past year, 22 comparable community events where issued beer or liquor licenses in the City of Stevens Point. A major concern from the public was the presence of young children during Crazy Days. Young children were also present at all of these events. Several of the community events served and operated longer hours than the beer tent at Crazy Days. The operating hours of the beer tent at Crazy Days were from 3:00 P.M. to 8:30 P.M.

Linda Lund, Mid-Point Sign & Graphics, 4925 Coye Drive, stated the issue at hand is not the 32 foot sign ordinance. Mr. Gardner issued a permit for a 120-square foot sign after the council voted to uphold the ordinance at 32 feet.

Mayor Wescott pointed out this is not Mr. Gardner's ordinance. The sign ordinance was approved by the Common Council.

Ald. Niedbalski said the square footage requirements for signs may have been a case of lack of communication. City staff should cooperate and communicate with the businesses trying to do a job. Make sure everyone is on a level playing field, the alderman said.

Ald. Kedrowski felt the sign ordinance requirements may have gray areas. The alderman suggested making changes to the sign ordinance if necessary to clarify the ordinance.

Ald. Rackow said a lot of staff time and energy was put into the sign ordinance when it was adopted.

30. Adjournment - 8:48 P.M.

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