

Meeting Minutes  
REGULAR COUNCIL MEETING  
Council Chambers  
December 20, 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, Water/Sewage Adm. Disher, Assessor Kuehn, Transit Manager Lemke, Personnel Specialist Jakusz, Design Engineer Yauch, Adm. Asst. Bumgarner, Kari Yenter, Susan Kampmeier (Journal), Scott Krueger (WIZD), Gene Kemmeter (Portage County Gazette)

2. Salute to the flag and prayer.

Mayor Wescott thanked all of the elected officials and public servants for all of their support and hard work throughout the entire year.

3. Approval of the minutes of the Special Common Council meeting of November 15, 1999, and the minutes of the Regular Common Council meeting of November 15, 1999.

Ald. Rackow moved, Ald. Aldinger seconded, to approve the special council minutes of November 15, 1999, and the regular council minutes of November 15, 1999.

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

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

None.

5. Plan Commission meeting of December 6, 1999.

Ald. Niedbalski moved, Ald. Phillips seconded, for approval of the Plan Commission minutes of December 6, 1999.

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

6. Public Hearing - Conditional Use - 824 Fremont Street - Home for Unwed mothers, was declared open by the Mayor.

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

7. Resolution on the above.

Ald. Walther moved, Ald. Sevenich 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.

8. Public Hearing - Conditional Use - 100 Green Avenue North - Alzheimers Group Home, was declared open by the Mayor.

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

9. Resolution on the above.

Ald. Aldinger moved, Ald. Pazdernik 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.

10. Public Hearing - Amending Zoning Ordinance - 900-16 Park Street/2173 Prairie Street -from "M-2" Heavy Industrial Zoning to "M-1" Light Industrial and/or "B-4" Commercial Zoning, was declared open by the Mayor.

Reid Rocheleau, adjacent property owner, urged the council to postpone a rezoning decision and study the area further. Mr. Rocheleau stated the rezoning of this property would create "spot zoning".

Mayor Wescott declared the public hearing closed.

11. Ordinance on the above.

Ald. Rackow stated while some setbacks for commercial property are less restrictive than are those for heavy industrial use, such as a five-foot setback for sideyards, rezoning the property provides better protection for neighbors about what types of businesses could move in. Delaying a zoning decision is not fair to the property owner, the alderman said.

Ald. Kedrowski asked if Mr. Opiola, property owner, would build two buildings on one lot, would that have to go back to Plan Commission? If so, at that time setback requirements could be addressed. Is that correct, the alderman asked?

Mayor Wescott said, yes.

Ald. Kedrowski asked is there any way Mr. Opiola could subdivide without having approval from the Plan Commission?

Mayor Wescott asked the alderman if he meant if the property stayed "M-2" Industrial zoning?

Could the property owner sell a portion of the property to someone else without Plan Commission approval, Ald. Kedrowski asked?

City Attorney Molepske answered yes, it is possible.

**Director Gardner explained the setback requirements and the property owner s building proposals.**

Ald. Kedrowski asked what are the consequences if the rezoning is postponed?

Director Gardner stated it depends on how long the action is delayed. The property owner could be put into a position that he can no longer negotiate with a new tenant. The property owner could be forced to build with the current zoning.

Ald. Kedrowski asked if the property owner would build two buildings on one lot where the setbacks have been established, then the property owner decides to sell a parcel, can the new owner put an addition to the current building?

Director Gardner asked would the parcel be actually split?

Ald. Kedrowski said, yes. Could the new owner of the separate parcel then build with only a five-foot sideyard setback?

Director Gardner stated a five-foot sideyard setback is not an adequate setback not only for this property but for others as well. The Plan Commission would take this issue up at their next meeting.

Ald. Nealis suggested "B-4" Commercial zoning with a 20-foot sideyard setback.

Mayor Wescott noted we are not dealing with the setback restrictions tonight. The developer will need to return to the Plan Commission with a site plan. You are dealing with a rezoning decision tonight. If the land remains industrial zoning, what could be built on this property, the Mayor asked?

Director Gardner stated under the current zoning such businesses as sheet-metal, welding, machine shop, and contractor storage yards could be developed on this property.

Ald. Kedrowski stated there is a gamble if we wait that they would put a trailer sales there, but the alderman felt that would be a small gamble. Ald. Kedrowski said delaying action now so more restrictions could be placed on setbacks could pay off for those living in the neighborhood.

Ald. Phillips said changing the zoning would protect residents more than leaving it as it is. Downzoning to "B-4" commercial is a positive move in this area.

Ald. Sevenich supports the zoning change.

Ald. Rackow moved, Ald. Sevenich seconded, to approve the ordinance classifying 900-16 Park Street/2173 Prairie Street as "B-4" Commercial zoning.

Ald. Rackow stated the rezoning should come first. We can take care of the setbacks during the site plan review, the alderman said.

"B-4" commercial zoning leaves the door open for five-foot setbacks, we need to protect the neighbors, Alderman Phillips said.

Roll Call: Ayes: Ald. Aldinger, Rackow, Barr, Pazdernik, Walthers, Sevenich.

Nays: Ald. Niedbalski, Phillips, Kedrowski, Perlak.

Ayes - 6. Nays - 4. Motion carried.

Ald. Nealis Abstained.

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

Ald. Rackow moved, Ald. Pazdernik seconded, for approval of the Public Protection Committee minutes of December 13, 1999, with the **recommended rejection of operator s license for Kory James Hampton and Jaime Lynn Cresca pulled for further discussion.**

Roll Call: Ayes all.

Nays None. Motion carried.

**Ald. Rackow moved, Ald. Niedbalski seconded, to deny the operator s license for Kory James Hampton.**

Ald. Rackow stated due to a tie vote at the Public Protection Committee meeting on December 13, 1999, there was no recommendation for Jamie Lynn Cresca s operator s license. **Is it the council s decision to decide the action for Jamie Lynn Cresca s operator s license?**

Mayor Wescott answered that is correct.

Ald. Niedbalski asked if Jamie Cresca is present?

**Jamie Cresca stated bartending is not a way of living for her but it helps to pay for her college tuition. It has been 2 ½ years since her convictions. Ms. Cresca said she obtained a bartender s license from Waukesha County without a problem.**

**Ald. Niedbalski moved, Ald. Pazdernik seconded, to approve the application for an operator s (bartender s) license for Jamie Lynn Cresca.**

**Ald. Kedrowski asked if Ms. Cresca s bartender s license is not approved, can she still tend bar?**

Mayor Wescott said Ms. Cresca can still tend bar with a licensed bartender.

Roll Call: Ayes: Ald. Walther, Pazdernik, Perlak, Barr, Nealis, Phillips, Niedbalski.  
Nays: Ald. Sevenich, Kedrowski, Rackow, Aldinger.  
Ayes - 7. Nays - 4. Motion carried.

13. Ordinance - amending 12.14 - Intoxicating Liquor & Fermented Malt Beverage.

Ald. Niedbalski moved, Ald. Phillips 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.

14. Board of Public Works meeting of December 13, 1999.

Ald. Nealis moved, Ald. Phillips seconded, for approval of the Board of Public Works minutes of December 13, 1999.

Ald. Walther stated he had received some concerns from residents on Peck Street regarding the two-hour parking zone on the north and south side of Peck Street from Michigan Avenue to Clayton Avenue.

**Chief Carpenter said Al Pennebacker of Saint Michael s hospital is working hard to be a good neighbor. The chief urged the council to pass the traffic study to create a two-hour parking zone on the north and south side of Peck Street from Michigan Avenue to Clayton Avenue.**

Ald. Rackow stated both of these traffic studies are for a seven month trial period.

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

15. Ordinance - Traffic Studies:

- A. #99-10-A No Parking - Jefferson Street at Worzalla Publishing
- B. #99-10-B Install traffic control signals at intersection of Jefferson Street/Michigan Avenue
- C. #99-10-C Install traffic control signals at intersection of Wilshire Boulevard/Highway 10
- D. #99-10-D 35 MPH speed limit - Highway HH
- E. #99-10-E Install stop signs southbound and northbound on Golla Road/Sandy Lane intersection
- F. #99-10-F 45 MPH speed limit on Highway HH

Ald. Rackow moved, Ald. Walther seconded, for adoption of traffic ordinance #99-10-A.

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

Ald. Rackow moved, Ald. Aldinger seconded, for adoption of traffic ordinance #99-10-B.

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

Ald. Rackow moved, Ald. Nealis seconded, for adoption of traffic ordinance #99-10-C.

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

Ald. Barr moved, Ald. Sevenich seconded, for adoption of traffic ordinance #99-10-D.

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

Ald. Aldinger moved, Ald. Walther seconded, for adoption of traffic ordinance #99-10-E.

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

Ald. Niedbalski moved, Ald. Rackow seconded, for adoption of traffic ordinance #99-10-F.

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

16. Special Board of Public Works meeting of December 20, 1999.

Clerk Zdroik read the minutes of the Special Board of Public Works meeting of December 20, 1999.

Ald. Perlak moved, Ald. Pazdernik seconded, for approval of the Special Board of Public Works minutes of December 20, 1999.

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

17. Finance Committee meeting of December 13, 1999.

Ald. Barr moved, Ald. Walther seconded, for approval of the Finance Committee minutes of December 13, 1999.

Ald. Nealis noted he was present at the Finance Committee meeting of December 13, 1999.

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

18. Personnel Committee meeting of December 13, 1999.

Ald. Rackow moved, Ald. Barr seconded, for approval of the Personnel Committee minutes of December 13, 1999.

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

19. Board of Water and Sewage Commissioners meeting of December 13, 1999.

Ald. Kedrowski moved, Ald. Perlak seconded, for approval of the Board of Water and Sewage Commissioners minutes of December 13, 1999.

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

20. Ordinance - amending Section 13.10(4) - Use of Public Sewers Required.

Ald. Pazdernik 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.

21. Telecommunications Commission meeting of December 16, 1999.

Ald. Rackow moved, Ald. Barr seconded, for approval of the Telecommunications Commission minutes of December 16, 1999.

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

22. Reports of various officers and commission.

**Comptroller-Treasurer s report - October 1999.**

Transportation Commission minutes of November 10, 1999.

Police and Fire Commission minutes of December 14, 1999.

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

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

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

Mayor Wescott announced Kyle Drefcinski from CA-3 is leaving his employment with the city of Stevens Point to pursue a career in London.

24. Adjournment - 8:00 P.M.

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