

REGULAR COUNCIL MEETING

Council Chambers
County-City Building

August 15, 2011
7:00 P.M.

Mayor Andrew J. Halverson, presiding

Roll Call: Present: Ald. Beveridge, Suomi, O'Meara, Wiza, Slowinski,
Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Excused: Ald. M. Stroik

Also
present: City Attorney Molepske, Clerk Moe, Comptroller-Treasurer
Schlice, Directors Jakusz, McGinty, Halverson, Ostrowski,
Lemke, Schraeder, Assessor Siebers, Asst. Police Chief Skibba,
Interim Fire Chief Kujawa, Mayoral Assistant Pazdernik,
Matt Brown (Portage County Gazette), B.C. Kowalski
(Stevens Point Journal).

2. Salute to the Flag and Mayor's opening remarks.

Mayor Halverson discussed budget concerns and stated the initial numbers from the state indicate a \$1.5 million shortfall in 2012. He encouraged everyone to closely examine their budgets as the operating levy cannot be increased from last year. He stated the budget will be a challenge and will affect each department.

3. Consideration and possible action of the minutes of the Common Council meeting on July 18, 2011.

Ald. R. Stroik **moved**, seconded by Ald. Moore, approval of the minutes of the Common Council meeting of July 18, 2011.

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. Those who wish to address the Common Council during a "Public Hearing" is not required to identify themselves until the "Public Hearing" is declared open by the Mayor.

Armin Nebel, 1100 Phillips Street, Stevens Point
Item #5 - Persons who wish to address the Mayor and Council.
Item #7 - Ordinance Amendment – Rezone 1600 Michigan Ave

Cathy Dugan, 615 Sommers Street, Stevens Point
Item #5 – Persons who wish to address the Mayor and Council

Reid Rocheleau, 408 Cedar Street, West, Whiting
Item #6 – Plan Commission meeting of June 6, 2011
Item #8 – Plan Commission meeting of August 2, 2011

Mary Ann Laszewski, 1209 Wisconsin Street, Stevens Point
Item #6 - Plan Commission meeting of June 6, 2011
Item #8 – Plan Commission meeting of August 2, 2011

Aldersperson Suomi

5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.

Armin Nebel, 1100 Phillips Street, representing Old Main Neighborhood Association, said he received a letter from UWSP Chancellor Patterson proposing traffic routing change on Reserve St., which could cause traffic and safety hazards. He asked that a traffic or safety study be done on Phillips, Briggs, Reserve St., College Ave., and Portage St. He stated auto and pedestrian traffic has increased in the area.

Cathy Dugan, 615 Sommers St., discussed downtown economic development and felt this was an appropriate time to reconvene the Downtown Development Committee or start a focus group to improve several large buildings that are either vacant or partially occupied and in disrepair.

Ald. Suomi announced she is hosting a meet and greet on Thursday, September 22, from 6:00 PM to 7:30 PM at the Parks and Rec. building on Michigan Avenue. Mayor Halverson will be the special guest.

6. Consideration and possible action of item number 2 (relating to Conditional Use for 823 Main St.) of the minutes of the Plan Commission meeting of June 6, 2011.

Reid Rocheleau, 408 Cedar St, Whiting, is disappointed with the minimal landscaping requirements at 800 Clark Street. He feels it sets poor precedence for the downtown and does not want to see ordinances watered down.

Mary Ann Laszewski, 1209 Wisconsin St., also discussed landscaping at 800 Clark Street. She felt improved landscaping would attract more individuals downtown and felt city advertising should be kept separate from private property.

Ald. Wiza asked what avenue of enforcement the city has for increased landscaping.

Mayor Halverson stated there is none under the conditional use and the improvements are being made voluntarily by Mr. Erbach. He stated there are no added conditions that can be placed on the site for this conditional use.

Ald. Wiza asked if the recommendation that landscaping be installed from the Plan Commission minutes of June 6th, 2011 was out of order.

Mayor Halverson stated the landscaping that was discussed was with staff's approval and was discussed with Mr. Erbach.

Ald. Wiza felt landscaping should be under conditional use to allow the city to enforce conditions.

Dir. Ostrowski said the Historic Preservation Design and Review Committee has authority to enforce maintenance of the property.

Ald. R. Stroik felt it was unfortunate to not be able to enforce beautification of the property and did not approve of the design.

Ald. Moore felt there was far more to the landscaping than previously asked for. He commended Mr. Erbach for voluntarily producing a solution.

Ald. Moore **moved**, seconded by Ald. Brooks, approval of the Conditional Use for 823 Main Street.

Ald. Wiza opposed the placement of a Welcome to Stevens Point sign on private property.

Ald. O'Meara suggested considering a straight lined wall on the driveway side of the lot, as it would provide more planting area.

Roll Call: Ayes: Ald. Moore, Brooks, Trzebiatowski, Wiza, Beveridge
Nays: Ald. R. Stroik, Molski, Slowinski, O'Meara, Suomi. Tied 5-5.
Approved by Mayor Halverson's vote. Motion carried.

7. Motion to Reconsider – Ordinance Amendment – Rezone the property located at 1600 Michigan Avenue from “R-2” Single Family Residence District to “R-3” Single and Two Family Residence District.

Ald. Beveridge said Mr. Wolf contacted him to discuss the rezoning and had presented information that had not been reviewed prior. In light of the new information, he felt reconsideration of the ordinance amendment was warranted and that his decision would have been affected by the new information presented to him. He asked that the issue be placed on the agenda again.

Ald. Beveridge **moved**, seconded by Ald. Brooks, approval of the reconsideration of Conditional Use for 823 Main Street.

Ald. O'Meara questioned the nature of the new information received.

Ald. Beveridge directed attention to a map he distributed prior to the meeting. He said the zoning situation was discussed without the visual of a map.

Mayor Halverson reviewed the zoning map, the square footage of the lots east and west of Michigan Ave. from Clark Street to Division Street and an additional copy of signatures Mr. Wolf had provided at the last meeting. He stated the vote by the Council last month was unanimous to deny the zoning request. He felt it was the right choice and stated if the city allowed nonconforming uses, there would be petitions for other nonconforming uses and spot zoning requests. He stated if there was going to be rezoning, it should be the entire corridor, but through extensive discussions.

Ald. R. Stroik stated he met with Mr. Wolf also and he felt as long as Mr. Wolf maintained ownership, the property would be well run and maintained. His concern is with the potential sale of the property and what the next owner would do with the property. He was also concerned about too many blood relatives residing there upon sale of the property.

City Atty. Molepske stated the issue with the property is the location and the current zoning which is single-family. He felt if it is rezoned, it will continue with other properties.

Ald. R. Stroik felt the City was encouraging people to buy back duplexes and multi-family houses with low interest.

Ald. Wiza felt if there was more information to review, then it should be reconsidered.

Ald. O'Meara felt when zoning is established, it should remain as is, and not allow spot zoning.

Ald. Trzebiatowski encouraged members to look at the map and that there are several properties to the north that are zoned multi-family. He felt this should warrant reconsideration also.

Ald. Suomi commended Mr. Wolf for his home improvements, but she did not support the reconsideration. She was concerned with the lack of parking as it would be a safety hazard.

Roll Call: Ayes: Ald. Beveridge, Wiza, Slowinski, Trzebiatowski, R. Stroik, Brooks, Moore.

Nays: Ald. Suomi, O'Meara, Molski. Motion carried.

8. Consideration and possible action of the minutes of the Plan Commission meeting of August 1, 2011.

Reid Rocheleau, 408 Cedar St., W., Whiting, discussed parking lot landscaping requirements for 800 Clark St. and Pisarski Funeral Home variance. He felt both landscaping issue should be kicked back.

Mayor Halverson stated variances are finalized by the Plan Commission and the Council has no input with them.

Ald. Moore **moved**, seconded by Ald. Beveridge, to approve the minutes and actions of the Plan Commission meeting of August 1, 2011.

Ald. Beveridge felt a permit should be required prior to parking lot reconstruction.

Ald. Trzebiatowski discussed landscaping requirements.

Mayor Halverson recommended discussion at the next meeting.

Ald. Trzebiatowski wanted the minutes sent back.

Mayor Halverson stated it would be out of order.

Ald. R. Stroik was upset that this variance was passed without review of the Common Council and asked the City Attorney to review the powers of the Plan Commission under the law.

Mayor Halverson stated variances have always started and stopped with the Plan Commission.

Roll Call: Ayes: Majority.
Nays: Ald. Trzebiatowski. Motion carried.

9. Public Hearing – Conditional Use – 707 Arlington Place - Constructing a courtyard dock addition to their building.

As there were no citizens who wished to speak, Mayor Halverson declared the public hearing closed.

10. Consideration and possible action on Resolution on the above.

Ald. R. Stroik **moved**, seconded by Ald. Moore, approval of the construction of a courtyard dock addition to 707 Arlington Place.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O'Meara, Suomi, Beveridge.
Nays: None. Motion carried.

11. Introduction of Resolution – Vacating a Portion of Green Avenue North.

Ald. Molski requested clarification of the map.

Dir. Ostrowski explained the map and stated the right away is left over from Green Avenue and Scaffidi's does need to purchase the property to expand their parking lot.

Mayor Halverson explained the process during DOT reconstruction of the interstate and stated that area was never vacated as part of the prior change.

Ald. Molski asked if screening would be required of the parking lot reconstruction.

Dir. Ostrowski stated it would be required through the Plan Commission and a plan has already been submitted with an abundance of landscaping on the property.

Ald. Trzebiatowski asked if the vacation of the land will result in any issues involving the corner of the Courtesy Motors building.

Dir. Ostrowski stated no, as it would be a complete vacation.

Ald. O'Meara questioned if the city has considered compensation for the property of the assessed value of the right of way.

City Atty. Molepske was unsure if the land was purchased or donated, and will review the history of the property.

12. Introduction of Resolution – Vacating Mitchell Drive.

Ald. Slowinski questioned the reason for vacating.

Dir. Ostrowski stated Scaffidi's is constructing another shed on the southeast side. The road is rarely used and Scaffidi's is looking into an easement agreement with another business on the property. In addition, the City has no use for the road.

Ald. Slowinski asked if the other business would have to access their building through the parking lot.

Dir. Ostrowski stated Scaffidi's will take over ownership and maintenance of the road and develop a private easement agreement with the other business.

With the Resolution introduced, the Mayor moved to the next agenda item.

13. Consideration and possible action of the minutes and actions taken at the Finance Committee meeting of August 8, 2011.

Ald. Moore **moved**, seconded by Ald. Brooks, to approve the minutes and affirm the actions of the Finance Committee meeting of August 8, 2011.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, Slowinski,
Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

14. Consideration and possible action of the actions taken at the Special Finance Committee meeting of August 15, 2011.

Clerk Moe stated the one agenda item was to repair the Portage County Library. Motion was made at the meeting by Ald. Molski, seconded by Ald. Brooks to approve repair of the Portage County Library for the amount not to

exceed \$8,780.00 with funding from the contingency fund. Ayes, all. Nays, none. Motion carried.

Ald. O'Meara **moved**, seconded by Ald. Trzebiatowski, to approve the actions taken at the Special Finance Committee meeting of August 15, 2011.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O'Meara, Suomi, Beveridge.
Nays: None. Motion carried.

Consideration and possible actions and minutes taken at the Personnel Committee meeting of August 8, 2011.

Ald. Molski **moved**, seconded by Ald. Slowinski, to approve the actions and place on file the minutes of the Personnel Committee meeting of August 8, 2011.

Roll Call: Ayes: All.
Nays: None. Motion carried.

15. Consideration and possible action of the actions taken at the Special Personnel Committee meeting of August 15, 2011.

Clerk Moe stated there was one agenda item to fill a mechanics position. Motion was made at the meeting by Ald. Beveridge and seconded by Ald. Molski to approve it. Ayes, all. Nays, none. Motion carried.

Ald. Slowinski **moved**, seconded by Ald. Molski, to approve the actions taken at the Special Personnel Committee meeting of August 15, 2011.

Roll Call: Ayes: All
Nays: None. Motion carried.

16. Consideration and possible action of the minutes and actions taken at the Public Protection Committee meeting of August 8, 2011.

Ald. R. Stroik **moved**, seconded by Ald. Trzebiatowski, to approve the minutes and actions taken at the August 8th Public Protection meeting with items 1H & 2 pulled for further discussion.

Ald. Wiza questioned if Samantha Stroschein had been notified of her rejection of her liquor license.

Clerk Moe stated he did leave a message on her cell phone, but she did not reply.

Roll Call: Ayes: All.
Nays: None. Motion carried.

Ald. R. Stroik stated Barb Jacobs is requesting modification from the original request to reduce the temporary extension of the premise to include just a walkway and a 40 x 60 tent in back of the parking lot. By doing this, it opens up the rest of the area for other activities.

Ald. O'Meara asked if she was requesting additional space.

Mayor Halverson stated she was cutting back space considerably.

Ald. O'Meara asked if the initial resolution was acceptable as she was not using the entire license she has.

City Atty. Molepske stated the reason was there could be children or minors who may not be with parents or guardians and under statute they could not be there.

Ald. Wiza **moved**, seconded by Ald. R. Stroik, to approve the extension as amended, subject to the issuance of the conditional use permit by the Plan Commission.

Roll Call: Ayes: All.
Nays: None. Motion carried.

17. Consideration and possible action of the minutes and actions taken at the Board of Public Works meeting of August 8, 2011.

Ald. O'Meara **moved**, seconded by Ald. Beveridge, to approve the minutes and actions taken at the Board of Public Works meeting of August 8, 2011.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

18. Consideration and possible action on Ordinance Amendment – Traffic – No Parking on the west side of Illinois Avenue from a point 428 feet south of Maria Drive to a point 641 feet south of Maria Drive (9.05(g) 304 of the RMC).

Ald. Suomi **moved**, seconded by Ald. Slowinski, to approve the Ordinance Amendment – Traffic – No parking on the west side of Illinois Avenue from a point 428 feet south of Maria Drive to a point 641 feet south of Maria Drive (9.05(g) 304 of the Revised Municipal Code.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O'Meara, Suomi, Beveridge.
Nays: None. Motion carried.

19. Consideration and possible action of the minutes and actions taken at the Board of Water & Sewage Commissioners meeting of August 8, 2011.

Ald. Molski **moved**, seconded by Ald. Trzebiatowski, to approve the minutes and actions taken at the Board of Water & Sewage Commissioners meeting of August 8, 2011.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

20. Consideration and possible action of the minutes and actions taken at the Board of Park Commissioners meeting of August 3, 2011.

Ald. Wiza questioned if it should be approved as there was no quorum.

Mayor Halverson stated no action was necessary.

21. Consideration and possible action of the minutes and actions taken at the Police and Fire Commission meetings of August 4 and August 9, 2011.

Ald. R. Stroik **moved**, seconded by Ald. Brooks, to approve the minutes and actions taken at the Police and Fire Commission meetings of August 4 and August 9, 2011.

Roll Call: Ayes: All.
Nays: None. Motion carried.

22. Consideration and possible action of Ordinance Amendment – Creation of Aldermanic Districts located in the City (Sect. 15.02 of the RMC).

Mayor Halverson stated a revised map was presented with minimal technical errors that needed to be corrected.

Ald. Moore questioned the description of ward 33.

Clerk Moe clarified the corporate boundaries of the city.

Mayor Halverson read the corporate boundaries.

Ald. Wiza questioned if the districts will be in effect after publication.

City Atty. Molepske stated they will be in effect Saturday.

Mayor Halverson **moved**, seconded by Ald. Slowinski, to approve the amended ward descriptions and have them reflected in the resolution adopted at the July 18, 2011 meeting.

Ald. R. Stroik discussed Ward 8 in District 3 and stated the division of the streets of Boyington and Lincoln are confusing and asked if that ward description could be reconsidered and squared off.

Mayor Halverson replied that would be in order, but the census blocks would have to be examined and correct.

Ald. R. Stroik said he would not recommend a change at this point.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

Second Motion:

Mayor Halverson **moved**, seconded by Ald. Beveridge, to approve the amended ward descriptions creating the aldermanic districts as presented.

Ald. Trzebiatowski questioned if the motion was out of order as it was not noticed on the agenda.

Mayor Halverson stated the first motion was an amendment to the ward descriptions, the second is approving the ordinance amendment creating the aldermanic districts and were two different actions within agenda item #23.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O'Meara, Suomi, Beveridge.
Nays: None. Motion carried.

23. Consideration and possible action of the minutes and action taken at the Transportation Commission Meeting of July 25, 2011.

Ald. Slowinski **moved**, seconded by Ald. O'Meara, to approve the minutes and action taken at the Transportation Commission Meeting of July 25, 2011.

Roll Call: Ayes: All.
Nays: None. Motion carried.

**24. Mayoral Appointment:
Community Development Authority – Reappoint Paul Adamski, 3117 Della Street.**

Ald. Moore **moved**, seconded by Ald. Brooks, to approve the reappointment of Paul Adamski, 3117 Della Street, to the Community Development Authority.

Ald. Wiza questioned if the Community Development Authority was going to be dissolved.

Mayor Halverson stated the CDA will stay in effect until the mall litigation and condemnation process is completed. The CDA authorized the hiring of an outside individual to evaluate the staffing levels of the CDA, Housing Authority and also do a study as to whether or not the City should combine the

Department of Community Development with the Community Development Authority. The study will be completed in sixty days. Michael Morrissey will be hired as the interim director of the CDA and will analyze staffing levels as well as whether or not all Housing Authority employees should be made city employees.

Ald. Wiza also said he's asked repeatedly for background information on appointees, as it would be beneficial to know the appointees qualifications.

Roll Call: Ayes: All.
Nays: None. Motion carried.

25. Consideration and possible action of the Statutory Monthly Financial Report of the Comptroller-Treasurer.

Ald. Molski **moved**, seconded by Ald. O'Meara, to approve the Statutory Monthly Financial Report of the Comptroller-Treasurer.

Roll Call: Ayes: All.
Nays: None. Motion carried.

26. Adjourn into Closed Session pursuant to Wisconsin State Statutes 19.85(1)(e) for update and discussion of Shine Medical Technologies project.

Ald. R. Stroik **moved**, seconded by Ald. O'Meara, to adjourn into closed session for update and discussion of Shine Medical Technologies project.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

27. Adjourned at 9:40 PM.