

Our intention is to have in-person meetings going forward. For the time being, we will hold the City Committee Meetings, Plan Commission, Council and most others at the Community Room at 933 Michigan Avenue. This in-person location will meet the legal requirement for our open meetings.

We will have a virtual option available, but the technology for the hybrid style meeting may not be reliable all of the time.

**CITY OF STEVENS POINT
REGULAR COUNCIL MEETING**

**Community Room
933 Michigan Avenue, Stevens Point, WI**

**May 16,
2022
7:00 PM**

OR

Zoom Teleconferencing

Meeting ID: 863 8848 2727 | Passcode: 311464

By

Computer: <https://us02web.zoom.us/j/86388482727?pwd=U3h2cVVtOG04WHFXZlZlUWZjZkFHdz09>

By Phone: +1-312-626-6799 (US Chicago)

Agenda

1. Roll Call.
2. Salute to the Flag and Mayor's opening remarks.
3. 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" are not required to identify themselves until the "Public Hearing" is declared open by the Mayor.
4. Persons who wish to address the Mayor and Council for up to three (3) minutes regarding a non-agenda item.
5. Presentation to the Mayor and Council:
 1. Julia Sapa, Senior Poppy Princess and Jaelyn Tepp, Junior Poppy Princess.
 2. City Attorney Beveridge – Basics of Open Meetings and quorums.

Consideration and Possible Action on the Following:

6. Consent Agenda:
 - Minutes of the Common Council Meeting of April 18, 2022, the Common Council Reorganization Meeting of April 19, 2022, and the Special Common Council of May 9, 2022.
 - Actions of the Police and Fire Commission meeting of May 3, 2022:
 5. Confirmation of bills
 11. Request to hire Assistant Chief Zvara at Step 4 of the City of Stevens Point pay plan
 - Actions of the Park Commission meeting of May 4, 2022:
 2. Approval of April 6, 2022 meeting minutes
 3. Election of Chairperson and Vice Chairperson

4. Request from Point Fastpitch to serve alcoholic beverages during a youth softball tournament within Goerke Park.
 6. Division Reports
 7. Director's Report
- Actions of the Board of Water and Sewerage Commissioners meeting of May 9, 2022:
 2. Approval of April 11, 2022 meeting minutes.
 3. Approval of Department Claims.
 - Actions of the Airport Commission meeting of May 9, 2022:
 2. Approval of the April 11, 2022 meeting minutes.
 3. Approval of Department Claims.
 - Actions of the Transportation Commission of May 9, 2022:
 2. Approval of April 11, 2022 minutes.
 3. Approval of the April 2022 financial / claims report.
 4. Approval to use transit general funds for the purchase of a paratransit vehicle.
 5. Approval to waive fares for people 18 and under - June 6, 2022 to September 2, 2022.
 - Minutes and Actions of the Personnel Committee meeting of May 9, 2022:
 3. Amendment to Administrative Policy 3.01(11) Standard Benefits - Uniform / Clothing Allowance.
 4. Request to start the Assistant Chief of Fire at Step 4 per Administrative Policy 2.06.
 5. Request for Temporary Assignment Pay for Deputy Comptroller-Treasurer.
 - Minutes and Actions of the Special Board of Public Works Meeting of May 3, 2022 and the Board of Public Works Meeting of May 9, 2022.
 - Minutes and Actions of the Public Policy and General Government meeting of May 9, 2022:
 2. Request to Hold Event/Street Closing.
 3. License List.
 - Minutes and Actions of the Finance Committee meeting of May 9, 2022:
 3. Discussion and Possible action on authorizing the Department of Public Works to apply for various infrastructure improvement grants, related to the federal Infrastructure Investment and Jobs Act, including STP-Urban and STP-Bridge.
 4. Discussion and Possible action on approving staff to enter into a purchase agreement for the Fire Department Training Facility building.
 6. Discussion and Possible action on the designation of the official newspaper.
 7. Discussion and Possible action on approving an overlap for the Accountant position in the Treasurer's Office.
 8. Discussion and Possible action on approval of claims paid.
 - Mayoral Appointments.
7. A request from Bill Schierl for a facade improvement grant in the amount of \$43,912.00 to restore the front facade of the building located at 1040 Main Street (Parcel ID 281240832202923).
 8. Revocable Occupancy License - to allow Sentry World to install media conduits within the right-of-way on North Point Drive.
 9. To award the Synthetic Turf Replacement Project for Community Stadium in Goerke Park to

Sprinturf, LLC in the amount not to exceed \$739,546.18.

10. Request to increase hours for Director of Riverfront Art Center in Parks, Recreation and Forestry Department.
11. Discussion and possible action on the Weights and Measures Contract with DATCP (Department of Agriculture, Trade, and Consumer Protection).
12. Discussion and possible action on Assignment and Amendment to Development Agreement with Opera House, LLC.
13. Adjournment.

RMC – Revised Municipal Code

Persons who wish to address the Common Council may make a statement as long as it pertains to a **specific** agenda item. Persons who wish to speak on an agenda item will be limited to a five (5) minute presentation. Any person who wishes to address the Common Council on a matter which is not on the agenda will be given a maximum of three (3) minutes and the time strictly enforced under the item, "Persons who wish to address the mayor and council on non-agenda items." Individuals should not expect to engage in discussion with members of the City Council and City staff.

Any person who has special needs while attending this meeting or needing agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569 or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during the regular business hours from 7:30 A.M. to 4:00 P.M.

**CITY OF STEVENS POINT
REGULAR COUNCIL MEETING MINUTES**

**Community Room
933 Michigan Avenue, Stevens Point, WI**

**April 18, 2022
7:00 PM**

OR

Zoom Teleconferencing

Minutes

1. Roll Call.

Present: Ald. Christianson, Shorr, Keymer, Zarazua, Johnson, Slowinski, Kneebone, Leek, Dalton, Fishler, Morrow.

Others

Present: Clerk Yenter, Attorney Beveridge, C/T Ladick, Director Lemke, Director Kernosky, Director Kremer, Director Beduhn, Assistant Chief Kussow, Interim H/R Manager Frasch, Neighborhood Improvement Coordinator Kordus, Dean Shuda, Ron Carlson, Brandi Makuski - Metro Wire.

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

3. 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" are not required to identify themselves until the "Public Hearing" is declared open by the Mayor.

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

Keith Kedrowski, 1536 Water Street, spoke about the generosity of community members.

Dave Eiden, 1008 Matilda Street, talked about the upkeep needed for the bandshell and CN bridge.

Consideration and Possible Action on the Following:

5. Consent Agenda:

Minutes of the Common Council Meeting of March 21, 2022.

Actions of the Police and Fire Commission meeting of April 6, 2022:

3. Confirmation of bills.

4. Request to hire an Assistant Chief at Step 4 of the City of Stevens Point pay plan - Police.

7. Discussion, with possible action, authorization to hire five firefighter/paramedics.

Actions of the Park Commission meeting of April 6, 2022:

2. Approval of March 2, 2022 meeting minutes.

4. Community Stadium and Goerke Park improvement project.

5. Discussion on current condition and needed repairs for 817 2nd Street rental property.

6. Rejection of bid for Pfiffner Pioneer Park Bandshell roof and site repair.

7. Approval of dedication of park lands in lieu of fees for The Convent Redevelopment Project adjacent Prentice Street and Maria Drive.
8. Director's Report

Minutes and Actions of the Plan Commission meeting of April 4, 2022:

2. Report of the March 7, 2022 meeting of the City Plan Commission.
4. A request from Richard Packard for a fence waiver to install privacy fencing along the southern lot line at 1017 Ridge Road (Parcel ID 281240834200103), consistent with Ch. 23.01(14)(g).
5. A request to dedicate 1.517 acres of land for park purposes at 1300 Maria Drive (Parcel ID 281240829240034).
6. March 2022 Monthly Report.
7. Director's Report.

Actions of the Board of Water and Sewerage Commissioners meeting of April 11, 2022:

2. Approval of minutes of the March 14, 2022 meeting.
3. Approval of Department Claims.
4. 2022 Reconstruction Projects and impact on 2022 Capital.
9. 2021 MS4 Annual Report.

Actions of the Airport Commission meeting of April 11, 2022:

2. Approval of minutes of the March 14, 2022 meeting.
3. Approval of Department Claims.

Actions of the Transportation Commission of April 11, 2022:

2. Approval of March 14, 2022 minutes.
3. Approval of the March 2022 financial / claims report.

Minutes and Actions of the Personnel Committee meeting of April 11, 2022:

2. Request to start the Assistant Chief of Police at Step S4 per Administrative Policy 2.06.
3. Request for Temporary Assignment Pay for interim HR Manager.

Minutes and Actions of the Board of Public Works meeting of April 11, 2022.

Minutes and Actions of the Public Policy and General Government meeting of April 11, 2022:

2. License List.
3. Request to Hold Event/Street Closing.

Minutes and Actions of the Finance Committee meeting of April 11, 2022:

4. Discussion and possible action on approving additional funds from TIF #6 for the Facade Improvement Grant Program.
5. Discussion and possible action on approval of claims paid.

Statutory Monthly Financial Report by Comptroller/Treasurer.

Ald. Johnson moved, Ald. Dalton seconded, to approve the consent agenda.

Call for the vote: Ayes: Christianson, Shorr, Keymer, Zarazua, Johnson, Slowinski, Kneebone, Leek, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

6. Resolution declaring No Mow May in the City of Stevens Point.

Ald. Kneebone moved, Ald. Zarazua seconded, to approve the Resolution declaring No Mow May in the City of Stevens Point.

Call for the vote: Ayes: Morrow, Fishler, Dalton, Leek, Kneebone, Johnson, Zarazua, Keymer, Shorr, Christianson.

Nays: Ald. Slowinski. Motion carried.

7. Resolution authorizing staff to apply for a Wisconsin Department of Natural Resources Grant for Emerson Park.

Director Kremer gave an overview of the Natural Resources Grant for Emerson Park.

Ald. Johnson moved, Ald. Keymer seconded, to approve authorizing staff to apply for a Wisconsin Department of Natural Resources Grant for Emerson Park.

Call for the vote: Ayes: Christianson, Shorr, Keymer, Zarazua, Johnson, Slowinski, Kneebone, Leek, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

8. Ordinance Amendment - A request from the City of Stevens Point to amend Chapter 23, Zoning Ordinance of the Revised Municipal Code of the City of Stevens Point. Said request adds Section 23.01(14) relating to the allowance of accessory dwelling units and accessory commercial units in the City of Stevens Point.

Ald. Johnson moved, Ald. Morrow seconded, to approve a request from the City of Stevens Point to amend Chapter 23, Zoning Ordinance of the Revised Municipal Code.

Nancy Roppe, 925 Smith Street, shared her opposition to the zoning ordinance revision. She spoke about the impact on single family property owners.

Carol Molepske, 2125 Clark Street, shared a picture and documentation (on file at the City Clerk's office) while sharing her concerns about the effects on single family property owners. She also spoke about the notification methods being used for public hearings.

Armin Nebel, 1100 Philips Street, shared his concerns about making an ordinance regarding ADU's and the lack of green space at the core of the city.

Cindy Nebel, 1100 Philips Street, spoke against implementing a city-wide zoning change and spoke in favor of variances instead. She shared about the zoning areas that would be affected by the zoning ordinance change.

Trevor Roark, 601 Washington Avenue, spoke in support of the proposed zoning ordinance changes.

Ron Carlson, 3356 Oak Avenue, shared that he sees the zoning changes as a want rather than a need. He also spoke about the effects on butterflies and bees as a result of ADU's.

Call for the vote: Ayes: Fishler, Dalton, Kneebone, Johnson, Zarazua, Shorr, Christianson.

Nays: Morrow, Leek, Slowinski, Keymer. Motion carried.

9. A request from Gregg Gokey, representing Opera House LLC, for a facade improvement

grant in the amount of \$114,473.98 to perform exterior improvements to the building located at 1124 Main Street (Parcel ID 281240832202973).

Ald. Slowinski moved, Ald. Kneebone seconded to approve the request from Gregg Gokey.

Call for the vote: Ayes: Christianson, Shorr, Keymer, Zarazua, Johnson, Slowinski, Kneebone, Leek, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

10. Request to Hold Event/Street Closing: Friends of Emerson Park/Jefferson School Bicycle Safety Rodeo on May 14, 2022 (New Event).

Ald. Morrow moved, Ald. Johnson seconded, to approve the Friends of Emerson Park event.

Call for the vote: Ayes: Morrow, Fishler, Dalton, Leek, Kneebone, Slowinski, Johnson, Zarazua, Keymer, Shorr, Christianson.

Nays: None. Motion carried.

11. Ordinance Amendment - To approve amendments in Chapter 21 regarding Building and Premises Maintenance and Occupancy.

Ald. Fishler moved, Ald. Morrow seconded, to approve amendments to Chapter 21.

Call for the vote: Ayes: Christianson, Shorr, Keymer, Zarazua, Johnson, Slowinski, Kneebone, Leek, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

12. Approval of funding for Community Stadium, Goerke Park, and KB Willett Arena building Improvements, including \$420,000 in City contribution and bonding of the project costs.

Ald. Shorr moved, Ald. Johnson seconded, to approve the funding for Community Stadium, Goerke Park, and KB Willett Arena building Improvements, including \$420,000 in City contribution and bonding of the project costs.

Call for the vote: Ayes: Morrow, Fishler, Dalton, Leek, Kneebone, Slowinski, Johnson, Zarazua, Keymer, Shorr, Christianson.

Nays: None. Motion carried.

13. Ordinance Amendment - To approve the amendments in Chapter 9, Section 9.05 and 9.06 as it relates to Traffic Signs.

Ald. Dalton moved, Ald. Keymer seconded, to approve the ordinance amendment in Chapter 9, Section 9.05 and 9.06 as it relates to Traffic Signs.

Call for the vote: Ayes: Christianson, Shorr, Keymer, Zarazua, Johnson, Slowinski, Kneebone, Leek, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

14. Ordinance Amendment - To approve amendments in Chapter 16 as it relates to Streets, Alleys and Sidewalks.

Ald. Dalton moved, Ald. Morrow seconded, to approve the amendments in Chapter 16 as it relates to Streets, Alleys, and Sidewalks.

Call for the vote: Ayes: Morrow, Fishler, Dalton, Leek, Kneebone, Slowinski, Johnson, Zarazua, Keymer, Shorr, Christianson.

Nays: None. Motion carried.

15. To award the 2022 Streets Improvement Project #22-01 to A-1 Excavating Inc. in the amount not to exceed \$8,709,540.24.

Ald. Morrow moved, Ald. Zarazua seconded, to award the 2022 Streets Improvement Project #22-01 to A-1 Excavating Inc. in the amount not to exceed \$8,709,540.24.

Call for the vote: Ayes: Christianson, Shorr, Keymer, Zarazua, Johnson, Slowinski, Kneebone, Leek, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

16. To award the 2022 Pavement Maintenance Project #22-04 to Fahrner Asphalt Sealers in the amount not to exceed \$244,303.13.

Ald. Fishler moved, Ald. Keymer seconded, to approve awarding the 2022 Pavement Maintenance Project #22-04 to Fahrner Asphalt Sealers in the amount not to exceed \$244,303.13.

Call for the vote: Ayes: Morrow, Fishler, Dalton, Leek, Kneebone, Slowinski, Johnson, Zarazua, Keymer, Shorr, Christianson.

Nays: None. Motion carried.

17. To award the 2022 Curb, Gutter and Sidewalk Project #22-05 to Fahrner Asphalt Sealers in the amount not to exceed \$230,238.05.

Ald. Shorr moved, Ald. Zarazua seconded, to approve awarding the 2022 Curb, Gutter and Sidewalk Project #22-05 to Fahrner Asphalt Sealers in the amount not to exceed \$230,238.05.

Call for the vote: Ayes: Christianson, Shorr, Keymer, Zarazua, Johnson, Slowinski, Kneebone, Leek, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

18. Recognition and parting comments from Alderman Jeremy Slowinski.

Mayor Wiza presented Ald. Slowinski with a plaque commemorating his service.

Ald. Slowinski spoke about his experience on the Council and the relationships he created throughout his service. He thanked his fellow Council members, city staff, and his constituents.

19. Recognition and parting comments from Alderman Thomas Leek.

Mayor Wiza presented Ald. Leek with a plaque commemorating his service.

Ald. Leek thanked his fellow Council members, city staff, and his constituents. He spoke about his time on the council and the importance of election competition.

20. Adjourn into closed session pursuant to Wis. Stats. 19.85(1)(e) (deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session) and 19.85(1)(g) (conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved) for the following:

A. Initial development review and negotiating the terms for a possible development agreement

for the property at 1200 Main Street and the surrounding parking lot.

B. Update of Acquisition of Property in the Town of Hull.

C. A presentation by the City Attorney regarding notices of claims and claims for damage filed

by Four Seasons MHC, LLC.

Ald. Morrow moved, Ald. Kneebone seconded, to move into closed session.

Call for the vote: Ayes: Morrow, Fishler, Dalton, Leek, Kneebone, Slowinski, Johnson, Zarazua, Keymer, Shorr, Christianson.

Nays: None. Motion carried.

Ald. Shorr moved, Ald. Dalton seconded, to reconvene into open session for action on the notices of claims and claims for damage filed by Four Seasons MHC, LLC.

Call for the vote: Ayes: Christianson, Shorr, Keymer, Zarazua, Johnson, Slowinski, Kneebone, Leek, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

21. Reconvene into open session for action on the notices of claims and claims for damage filed by Four Seasons MHC, LLC pursuant to Wis. Stats. 893.80.

Ald. Leek moved, Ald. Slowinski seconded, to disallow claims from Four Season MHC, LLC.

Call for the vote: Ayes: Morrow, Fishler, Dalton, Leek, Kneebone, Slowinski, Johnson, Zarazua, Keymer, Shorr, Christianson.

Nays: None. Motion carried.

22. Adjournment.

Adjourned at 9:40 p.m.

**CITY OF STEVENS POINT
REGULAR COUNCIL MEETING MINUTES**

**Community Room
933 Michigan Avenue, Stevens Point, WI**

**April 19, 2022
5:00 PM**

OR

Zoom Teleconferencing

Minutes

1. Roll Call.

Present: Ald. Shorr, Keymer, Zarazua, Johnson, Carlson, Kneebone, Shuda, Dalton, Fishler, Morrow.

Others

Present: Clerk Yenter, Attorney Beveridge, Marc Christianson.

Consideration and Possible Action on the Following:

2. Mayoral appointments to various Boards and Commissions.

Committee/ Commission/Board	Appointee	TERM	EXPIRES
Administrative Appeals Board	Ald. Keely Fishler	2 year Aldermanic Term	4/15/2024
Administrative Appeals Board	Chris Tiffany	2 years	4/17/2023
Affirmative Action / Fair Housing	Ald. Polly Dalton	2 years	4/30/2024
Airport Commission	Mae Nachman	5 years	4/30/2027
Bicycle-Ped. Street Safety Commission	Ald. Ron Carlson	2 year Aldermanic Term	4/15/2024
Board of Park Commissioners	Matt Kirsch	3 years	5/1/2026
Board of Park Commissioners	John Okonek	3 years	5/1/2026
Board of Park Commissioners	Sue Hall	3 years	5/1/2026
Board of Park Commissioners	Ald. Ginger Keymer	3 years	5/6/2024
Board of Park Commissioners	Ald. David Shorr	3 years	5/6/2025
Board of Review	Tom Schrader	5 years	4/30/2027
Board of Review Alt #1	Jordan Hornung	5 years	4/30/2026
Historic Preservation/Design Review	Peter Munck	3 years	4/30/2025

Historic Preservation/Design Review	Erik McFarland	3 years	4/30/2025
Historic Preservation/Design Review Alt #2	Jordan Hornung	3 years	4/30/2024
Library Board Liaison	Ald. Ginger Keymer	1 year	4/30/2023
Local Emergency Planning Committee	Jason Draheim	1 year	4/30/2024
Municipal Court Oversight Committee	Mayor Mike Wiza	2 years	4/30/2024
Municipal Court Oversight Committee	Ald. Shaun Morrow	2 years	4/30/2024
Municipal Court Oversight Committee	Ald. Ron Carlson	2 years	4/30/2024
Plan Commission	Anna Haines	3 years	4/30/2025
Plan Commission	Pete Arntsen	3 years	4/30/2025
Plan Commission	Jeff Schule	3 years	4/30/2025
Police and Fire Commission (Aid. Liaison)	Ald. Mary Kneebone	1 year	4/30/2023
Police and Fire Commission	Brandon Taylor	5 years	4/30/2027
Tourism Commission	Tom Schrader	1 year	4/30/2023
Tourism Commission	Mike Disher	1 year	4/30/2023
Tourism Commission	Michelle Sedlak	1 year	4/30/2023
Tourism Commission	John Okonek	1 year	4/30/2023
Tourism Commission	Carie Winn	1 year	4/30/2023
Transportation Commission	Ald. Mary Kneebone	1 year	4/30/2023
Transportation Commission	Ald. Marc Christianson	1 year	4/30/2023
Transportation Commission	Jessa Michie	3 years	4/30/2025
Zoning Board of Appeals	Chris Tiffany	3 years	4/30/2025
Zoning Board of Appeals Alt #1	Tom Schrader	3 years	4/30/2025
Zoning Board of Appeals Alt #2	Stephen Klein	3 years	4/30/2025

Ald. Dalton moved, Ald. Morrow seconded, to remove Ald. Zarazua from the Administrative Appeals Board recommendation.

Ald. Keymer moved, Ald. Johnson seconded, to include Stephen Klein as a recommended second alternate on the Zoning Board of Appeals.

Ald. Morrow moved, Ald. Carlson seconded, to approve the list as amended.

Call for the vote: Ayes: Morrow, Fishler, Dalton, Shuda, Kneebone, Carlson, Johnson, Zarazua, Keymer, Shorr.
Nays: None. Motion carried.

3. Mayoral appointments of Council members to Standing Committees.

<u>Board of Public Works</u>	<u>Personnel Committee</u>
Mayor Mike Wiza - Recommended Chairperson	Mykeerah Zarazua, Chairperson
Ron Carlson	Polly Dalton, Vice-Chairperson
Fred Hopfensperger	Dean Shuda
Mary Kneebone	David Shorr
Shaun Morrow	Marc Christianson
Ginger Keymer	
Dean Shuda	
<u>Finance Committee</u>	<u>Public Policy And General Government</u>
Meleesa Johnson, Chairperson	Keely Fishler, Chairperson
Polly Dalton, Vice-Chairperson	Ginger Keymer, Vice Chairperson
Ron Carlson	Mary Kneebone
Shaun Morrow	Marc Christianson
David Shorr	Mykeerah Zarazua

Ald. Zarazua moved, Ald. Shuda seconded, to approve the appointee list as presented.

Call for the vote: Ayes: Shorr, Keymer, Zarazua, Johnson, Carlson, Kneebone, Shuda, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

4. Nominations and election of Council President.

Ald. Shorr nominated Ald. Johnson for Council President.

As there were no further nominations, Mayor Wiza declared nominations closed.

Ald. Kneebone moved, Ald. Fishler seconded to cast a unanimous ballot for Ald. Johnson as Council President.

Ayes all, nays none. Motion carried.

5. Recess until after the Special Public Policy and General Government Committee, Special Personnel Committee and Special Finance Committee Meetings.

Mayor Wiza said council is recessed until Public Policy and Genral Government, Personnel, and Finance Committees have selected their chars and vice-chairs.

6. Reconvene to consider the actions of the Committees listed above.

Public Policy and General Government:

Chair: Ald. Fishler

Vice-Chair: Ald. Keymer

Personnel:

Chair: Ald. Zarazua

Vice-Chair: Ald. Dalton

Finance:

Chair: Ald. Johnson

Vice-Chair: Ald. Dalton

Ald Fishler moved, Ald. Morrow seconded to approve the actions of the committees listed above.

Call for the vote: Ayes: Morrow, Fishler, Dalton, Shuda, Kneebone, Carlson, Johnson, Zarazua,
Keymer, Shorr.

Nays: None. Motion carried.

7. Adjournment.

Adjourned at 5:28 p.m.

**CITY OF STEVENS POINT
SPECIAL COMMON COUNCIL MEETING MINUTES**

**Community Room
933 Michigan Avenue, Stevens Point, WI**

**May 9, 2022
6:10 PM**

OR

Zoom Teleconferencing

1. Roll Call.

Present: Ald. Christianson, Shorr, Keymer, Zarazua, Johnson, Carlson, Kneebone, Shuda, Dalton, Fishler, Morrow.

Others Present: Mayor Wiza; Clerk Yenter; Attorney Beveridge; Deputy C/T Freeberg; Chief Moody; Chief Kussow; H/R Manager Frasch; Directors: Beduhn, Lemke, Kernosky, Kremer; Admin Assistant Church; Kevin Flatoff; Gary Speckmann; Fred Hopfensperger.

Consideration and Possible Action on the Following:

2. Special Event- Filming Video on Main Street.

Ald. Zarazua moved, Ald. Christianson seconded, to approve the Special Event.

Call for the vote: Ayes: Christianson, Shorr, Keymer, Zarazua, Johnson, Carlson, Kneebone, Shuda, Dalton, Fishler, Morrow.

Nays: None. Motion carried.

3. Adjournment.

Adjourned at 6:17 p.m.

**CITY OF STEVENS POINT
POLICE AND FIRE COMMISSION MINUTES
MEETING OF MAY 3, 2022**

1. **Roll Call:** Commissioners Kirschling, Moore, Mrozek, Ostrowski and Taylor
- Also Present:** Police Chief Kussow, Fire Chief Moody, AC Gemza, AC Rottier, AC Williams, Alderperson Kneebone, Alderperson Keymer, Traci Tauferner, Brandi – SP Metro Wire

2. **Election of Commission President and secretary**
- **Following the election, the President will appoint liaisons to Police Department and Fire Department**

Commissioner Ostrowski moved, seconded by Commissioner Kirschling to elect Jerry Moore as President.

Ayes, all; nays, none. Motion carried.

Commissioner Moore moved, seconded by Commissioner Mrozek to elect Bob Ostrowski as Secretary.

Ayes, all; nays, none. Motion carried.

President Moore made the following appointments which are effective immediately:

- Joe Kirschling is re-appointed liaison to the Fire Department
- Denise Mrozek is appointed liaison to the Police Department

3. **Presentation of yearly business review of on-site injury prevention services for 2021 by Traci Tauferner, Advanced Physical Therapy & Sports Medicine**

The mission of the program is to provide care, wellness and prevention of illness and injury for City of Stevens Point Police and Fire employees.

Traci Tauferner gave an overview of the City of Stevens Point Wellness Program for 2021 for the Police and Fire Departments. Functional Integrated Training (FIT) is a customized training program to improve employee health and overall well-being. After a brief assessment of functional movement patterns and identifying areas that may cause injury, employees are given a program to target problematic patterns and identify core strengths to increase mobility and stability of the body, a key factor in injury prevention.

FIT also offers prompt access to care when an employee is injured or ill, which helps to mitigate the costs for care. FIT provides employees opportunities to enhance treatment, early intervention, and reconditioning, increasing the likelihood of less time missed from work.

4. Approval of Minutes

Commissioner Ostrowski moved, seconded by Commissioner Mrozek to approve the April 6, 2022 minutes.

Ayes, all; nays, none. Motion carried.

5. Confirmation of bills

Commissioner Ostrowski moved, seconded by Commissioner Kirschling to approve the confirmation of the April 2022 bills.

Ayes, all; nays, none. Motion carried.

6. Police Chiefs Report

The Department would like to make you aware of the following updates:

Note of Interest:

- Chief Zenner is officially retired as of May 2, 2022. Best wishes and thanks to him for his 28 years of service and dedication to the department and the City of Stevens Point.
- Assistant Chief Williams was sworn in on May 3, 2022.
- April 2, 2022 Lt. Johnson and AC Kussow participated in Dunkin Donuts/Baskin Robins Grand Opening. Handed out SPPD items.
- Officer Stacy Morton has successfully completed her FTO Training. She completed the final stage of her training on April, 4th and is now on SOLO patrol, reporting to Lt. Greg Bean.
- Assistant Chief Williams began the hiring process for a new police officer on 4-13-22. We are hoping that we will be able to bring our recommendation to the PFC on June 7, 2022, with an approximate start date of June 20, 2022.
- The bi-monthly meeting for Crime Stoppers was on April 18th, SPPD had 5 payouts.
- County-wide RTF (Rescue Task Force) training completed over April 19, 20 & 26. Big thanks to Sentry, Lt. Johnson, role players and all instructors.
- April 22, 2022 Lt. Spath graduated from Leadership in Police Organizations.
- The drug take back was on April 30th. Officer Schultz spent 4 hours at the Lincoln Center collecting unused or expired medications from citizens within Portage County.
- ICAC (Internet Crimes against Children) investigation completed by Detective Gerndt resulted in arrest and admission for possession of child porn. Several counts, which crossed, state lines. Case is being prosecuted by US Attorney's Office.

Calls of Interest:

- **04/2/2022 – Econo Lodge – Shooting Suspect Arrest** – Patrol received information on the shooting suspect's location. Patrol, with help from PSTO, UWSP and Plover had a perimeter set up. Detectives called in and suspect was taken into custody.
- **04/05/2022 – Fleet Farm – Active Retail Theft** – Male suspect had left the store with numerous knives. Male attempted to get away on city bus, he was arrested with several knives on his person.

- **04/05/2022 – Salvation Army – Drugs** - Employee located drugs, officers made contact with male whose belongings were in question. He had a baggie of 7.26g of crystal meth. Arrested and in jail.
- **04/05/2022 – Welfare Check – Olympia Dr.** – Female called via messenger stating a male was going to kill her in a garage. Officers arrived and set up a perimeter around garage. Two subjects exited the garage, one was arrested on multiple warrants.
- **04/09/2022 – Fire – Econo Lodge** – Room 312 burnt up significantly, male subject appeared to be under the influence of something. Detectives and Fire Investigators requested.
- **04/11/2022 – Car Jacking – Target** – Male suspect with gray hair, bandana covering his face, walks with a limp was seen watching several vehicles until a lone small framed female arrived. He threw her against her car and demanded keys or he would stab her. She gave him her keys and he fled north bound on I-39. Investigation led to capture of suspect in Missouri. Waiting for extradition back to Stevens Point.
- **04/16/2022 – Traffic Stop – Downtown** – Officer conducted a traffic stop on a vehicle leaving downtown with no headlights on. Male driver arrested for possession of marijuana, possession of paraphernalia, obstruction, felony bail jumping, a warrant and for Felon in possession of body armor.
- **04/19/2022 – Medical Emergency – 5000 block of Glenwood** – Report of an 8 month old not breathing and unconscious. The baby was taken to Aspirus with questionable circumstances surrounding the incident. This occurred at an unlicensed daycare. Investigation continuing.
- **04/20/2022 –Suicidal Student - Assist UWSP** – Officers assisted UWSP with a student who was hanging out the window of their 4th story window. Officer DesRosier did very well with her CIT skills in assisting in calming the student down. The student was pulled back into the dorm room and treated.
- **04/26/2022 – Traffic Stop – Pursuit** – Officer attempted to stop a motorcycle which immediately fled from officer at high rates of speed. Officer did not pursue, but officer recognized the driver. The driver was later located, stopped and arrested.
- **04/28/2022 – Traffic Stop** – Male subject stopped and arrested for his 3rd OWI but also has 3 other OWI charges pending. The current arrest would make it his 6th OWI.

Monthly Use of Force Reporting (annual total in parenthesis):

Number of Use of Force Incidents: 6 (25)

- **4-2-22** – Multiple Officers used force on a case that spanned over several days, attempting to arrest people involved in a shooting and armed robbery that occurred in Stevens Point. Officers pointed patrol rifles at one of the suspects as they fled from police and another officer pointed his patrol rifle at the suspect, who refused to obey orders, while sitting inside the vehicle. The suspect was arrested and was found to be in possession of a handgun. (No injuries)
- **4-4-22** – Officers were called to a residence for a report of a disturbance, where one person thought her life could be in danger due to the person she was with. When officers arrived people were observed going into a detached garage and shutting the door. Officers surrounded the garage and called out to the people inside, with no

response. K9 Barry was deployed and his handler announced the use of Barry if people did not come outside. A female exited and was taken into custody and a male was later located hiding in the rafters. Officers pointed their guns at the suspects during this call. (No injuries or property damage.)

- **4-12-22** – SPPD/Plover SWAT was used to execute a warrant for a subject wanted in connection with a shooting that had occurred a week and a half prior. The suspect was a convicted felon and known to be in possession of a firearm. SWAT surrounded the residence and called the suspect out, while pointing their firearms at the residence. The suspect came outside and was taken into custody without incident. (No injuries)
- **4-12-22** – SPPD/Plover SWAT was used to execute a search warrant for a residence in Stevens Point which a resident was suspected of being involved in child pornography. The residence was surrounded and SWAT members made announcements to the people inside. All 3 occupants came outside and were taken into custody without incident. Members pointed their firearms at the residents during the warrant execution. (No injuries)
- **4-13-22** – SPPD Officers were conducting a welfare check on a female who had left the ER against the advice of doctors because of suicidal ideations. The female refused to obey officer's commands when she was asked to stop. Officers made physical contact with the female who tensed up and tried pulling away. Officers were forced to apply pressure to her wrists in order to get her arms behind her back and then were able to apply the handcuffs. (No injuries)
- **4-16-22** – An Officer was trying to break up a physical altercation downtown amongst several people. The officer was able to stand up one of the involved and attempted to place the subject's hands behind their back, but the subject tensed up their hands and tried pulling away several times, ignoring the officer's verbal commands. The officer attempted to deliver a knee strike to the subject's side, but missed. After more officers arrived on scene the subject was able to be handcuffed. (No injuries)

Mental health related incidents:

Officers responded to the following:

- 58 welfare checks
- 5 chapter 51s
- 5 voluntary
- 1 alcohol commitment

K-9 Unit

- **4-21-22** – Welfare check and Fala detection on vehicle. Resulted in 76 grams of Meth and 11.2 grams of marijuana.
- **4-22-22** – Fala detection on traffic stop. Resulted in 3 grams of meth and 57.25 Grams of marijuana.

Training:

Department trainings are back in full force.

- Lt. Johnson spent 3.5 days prepping and instructing Rescue Task Force Training at 3001 Dixon Street, Sentry Insurance, during the middle of April. Approximately 150 police and 50 fire personnel were in attendance at the training. There were also

approximately 150 volunteers over the 3 day period, who acted as role players during the afternoon scenarios.

- Detective Sergeant John Lawrynk will be attending Week #2 of WI DOJ First Line Supervisor School from April 11th – April 15th.
- SPPD Armorers, Sergeant Long, Sergeant Poeschel, Officer Zingler and Officer Gartmann attended the AR-15 Recertification Class held on April 4th and 5th.
- Detective Matt Drossel attended the Wisconsin Association of Homicide Investigators Conference from April, 27th - 29th.
- Officer Kristi Ahrens attended the National Alliance on Mental Health (NAMI) State conference as she continues to sit on the Portage/Wood County NAMI Board.
- Lieutenant Spath graduated from Leadership in Police Organizations on April 22, 2022.
- Assistant Chief Kussow continues his command college, with a graduation date of June 10, 2022.

Auxiliary Unit:

- 3 events held, **totaling 24 hours**, included: SPASH Prom, Trivia and D1 10K
 - Lieutenant Johnson and Officer Roser trained the auxiliary group in SPPD's training room on April 13th. The topic was OC spray and basic active counter measures. The training lasted almost 2 hours and members were issued OC to carry when volunteering at the end of the training.

Commissioner Moore moved, seconded by Commissioner Taylor to accept the Police Chief's report for April 2022.

Ayes, all; nays, none. Motion carried.

7. The 2022 operational budget concerns with a 0% increase

In 2021 the Fire Department saw a 16% increase in operational costs. The increases occurred four different times throughout the year, and each time an increase occurred it was a 4% increase. In 2022 the fire service has seen an average of an additional 7% increase since February 1, an additional 5% increase since March 1, and an additional 5% increase in operational costs since May 1.

Over the last 16 months the department has seen a 33% increase in the cost of doing business within the fire service. Chief Moody wanted to bring it to the Commission's attention that he has concerns about staying in the black for 2022.

8. Truck 22 update from Pierce

On December 21, 2021 the FD signed a contract with Pierce to purchase Truck 22. Truck 22 is on a BMP (Build My Pierce) program with Pierce, which will allow us to receive the apparatus by the end of 2022. The chief hopes to have the apparatus operational and in service to the community by February 2023. After incentives and savings the apparatus will cost approximately \$950,000.00.

9. Staffing updates with three firefighter/paramedics starting academy #2202 May 23rd

The Department is focused on recruitment and retention and just went through a recruitment process for three new probationary firefighter/paramedics. The FF/Paramedics will be starting the academy with the Division Chief of training on May 23, 2022. This is the second recruit academy for 2022.

Hearing no objection agenda item #12 will be heard

12. New Assistant Chief and Division Chief Positions within the Stevens Point Fire Department

In moving forward with filling the Assistant Chief and Division Chief Roles within the SPFD, the chief worked to reclassify positions, worked to get the pay in line with other departments for these ranks, conducted an internal and external search for candidates and ran a chief's assessment center. Chiefs from Rhinelander, Wausau, and Marshfield participated in the assessment center, as well as AC Dana Williams, SPFD chiefs and Special Investigator Egan who was the prior fire marshal for SPFD. There were multiple candidates for each position. The top four candidates for each position were offered to participate in the assessment center. The completion of the assessment center provided two highly qualified candidates for each position.

10. Promotion of Dennis Zvara to the rank of Assistant Chief

Commissioner Kirschling moved, seconded by Commissioner Taylor to promote Dennis Zvara to the rank of Assistant Chief.

Ayes, all; nays, none. Motion carried.

11. Request to hire Assistant Chief Zvara at Step 4 of the City of Stevens Point pay plan – Fire

Commissioner Ostrowski moved, seconded by Commissioner Kirschling to hire Assistant Chief Zvara at Step 4 of the City of Stevens Point pay plan.

Ayes, all; nays, none. Motion carried.

13. Hire Anthony Ewing to the rank of Division Chief

Anthony Ewing withdrew from the Division Chief hiring process. Chief Moody has no one to bring forward at this time for promotion to Division Chief. The chief will re-evaluate the position and decide how to move forward.

14. Fire Chief's report/EMS report

Significant Events:

- ✓ MABAS request from Town of Stockton for a structure fire at 4429 Highway J
- ✓ MABAS request from Town of Stockton for a car fire at Highway 10 East
- Metro Fire Calls: (5)
- Structure Fires: (4)
- Vehicle Fires: (2)
- Brush, grass, wildland fires: (0)
- Cooking Fire contained: (0)
- Overheated Cooking: (3)
- Other Fires: (3)

- Rescue: (3)
- EMS Assist calls: (47)
- False alarm responses: (14)
- Hazardous materials responses: (8)
- Other responses: (6)
- Total fire losses: \$40,100.00
- Total property saved: \$3,024,900.00
- Total Responses: (90)
- Training: Driver Operator Engine/Pumper, NFPA 1002, Chapter 5; how to clean your Motorola portable radio; streamline complex inspection training. Total training hours: 763.40
- The Fire Department annual report was distributed. Please review and let Chief Moody know if there any questions regarding the report.

Commissioner Moore moved, seconded by Commissioner Ostrowski to accept the Fire Chief's Report for April 2022.

Ayes, all; nays, none. Motion carried.

15. President's Report

Chief Moore asked the commission to check their calendar for the third week in May to schedule a special meeting. Several things need to be handled in closed session.

The commission was provided with a current Police Department union contract, Fire Department union contract and handbook for Wisconsin Police and Fire Commissioners. These are reference materials.

16. Adjournment

The meeting adjourned at 2:56 p.m.

REGULAR MEETING MINUTES

Board of Park Commissioners

May 4, 2022 - 6:30 PM

Community Room

933 Michigan Avenue, Stevens Point, WI

OR

[Zoom Teleconferencing](#)

Meeting ID: 873 3662 3945 | Passcode: 12345

By Computer: [Click Here](#)

By Phone: +1-312-626-6799 (US Chicago)

Discussion and Possible Action on:

1. Roll Call.

Present: Bob Freckman, Mike Glodosky, Sue Hall, Alder Ginger Keymer, Matt Kirsch, Liz McDonald, John Okonek, Shaun Przybylski, Alder David Shorr, Wayne Sorenson, Alder Mykeerah Zarazua.

Also Present: Director Kremer, Todd Ernster, Scott Halvorsen, Anne Hylla, Archie Sawyer

2. Approval of April 6, 2022 meeting minutes

Motion by Okonek to approve the meeting minutes, second by Hall; motion passed 11-0.

3. Election of Chairperson and Vice Chairperson

Motion to approve the nomination of Wayne Sorenson for Chairperson by Sue Hall by Shorr, second by Przybylski. Motion to approve the nomination of Liz McDonald for Vice Chairperson by Sue Hall by Glodosky, second by Sorenson. Motions passed 11-0.

4. Request from Point Fastpitch to serve alcoholic beverages during a youth softball tournament within Goerke Park.

Motion to recommend approval as presented of the request by Point Fastpitch to be able to serve alcoholic beverages during a youth softball tournament within Goerke Park. Motion by Shorr, second by Kirsch; motion passed 11-0.

5. To award the Synthetic Turf Replacement Project for Community Stadium in Goerke Park to Sprinturf, LLC in the amount not to exceed \$739,546.18.

Motion to award the field contract as presented. Motion by Okonek, second by Glodosky; motion passed 11-0.

6. Division Reports:

Parks

Recreation

Forestry

7. Director's Report

- A. KB Willett Roof Update**
- B. Bandshell Repairs Update**
- C. Goerke Park Improvements Update**
- D. Comprehensive Outdoor Recreation Plan Update**
- E. Grant Updates**

8. Adjournment.

Motion to adjourn by Okonek, second by Hall; motion passed 11-0. The meeting adjourned at 7:17 pm.

**City of Stevens Point
Board of Water and Sewerage Commissioners
May 9, 2022 - 12:00 PM**

**Stevens Point Public Utilities
300 Bliss Avenue, Stevens Point, WI**

OR

Zoom Teleconferencing

Meeting URL to connect: <https://us02web.zoom.us/j/82026885705>

Dial in number: (303) 715-8592

Meeting ID: 820 26885705

MINUTES

Discussion and Possible Action on:

1. Roll Call.

PRESENT: Paul Adamski, Carl Rasmussen, Anna Haines and Mae Nachman

EXCUSED ABSENCE: Ray Schmidt

STAFF PRESENT: Joel Lemke, Mary Klesmith, Chris Lefebvre, Craig Czaikowski, Eric Southworth and Jaime Zdroik

2. Approval of Minutes

Motion made by Mae Nachman, seconded by Anna Haines to approve the April 11, 2022 meeting minutes of the Board of Water & Sewerage Commission.

Ayes all. Nays none. Motion carried.

3. Approval of Department Claims

Motion made by Mae Nachman, seconded by Carl Rasmussen to approve the department claims for the month of April 2022 as audited and read.

Ayes all. Nays none. Motion carried.

4. Water Supply and Distribution Reports - Eric Southworth

Eric stated that the air mixer was installed. They are working on adjusting the settings so it works properly. After a couple of safe bacti tests, the tower will be placed back online. Hydrant flushing starts tonight.

5. Sewage Treatment Operations Report - Chris Lefebvre

Chris stated all permit levels were met for the month of April. Crews have been working hard preparing for upcoming projects. One of the aeration basins is offline for concrete repair to be done in June. We completed taking down digester #3 with the help of the storm crew. The mixer will be pulled next Monday in order to complete the work that needs to be done on the tank. Hopefully, the digester will be operational by

the end of June. We are on the second dryer run since we had weld repairs completed and it is running very well.

6. Construction and Maintenance Report - *Craig Czaikowski*

Craig stated flushing will start tonight. Fiber projects are going well. The crew has been working on removing lead services. This week they are working on storm sewer swale projects. Craig stated the crew did a great job on the swale project on Windy Drive and they have received many compliments from the homeowners in that area.

7. Community Area Network Report - *Joel Lemke*

Joel stated fiber was extended downtown into an area that will benefit several City departments by being able to have cameras installed. We are currently out in Junction City boring.

8. Directors Report - *Joel Lemke*

Joel stated we will not have the June 13, 2022 meeting.

9. Adjournment.

Motion made by Anna Haines to adjourn the meeting.

Ayes all. Nays none. Motion carried.

Meeting Adjourned: 12:11PM

**City of Stevens Point
Airport Commission
May 9, 2022 - 12:12 PM**

**Stevens Point Public Utilities
300 Bliss Avenue, Stevens Point, WI**

OR

Zoom Teleconferencing

Meeting URL to connect: <https://us02web.zoom.us/j/82026885705>

Dial in number: (301) 715-8592

Meeting ID: 820 26885705

MINUTES

Discussion and Possible Action on:

1. Roll Call.

PRESENT: Paul Adamski, Carl Rasmussen, Anna Haines and Mae Nachman

EXCUSED ABSENCE: Ray Schmidt

STAFF PRESENT: Joel Lemke, Mary Klesmith, Chris Lefebvre, Craig Czaikowski, Eric Southworth and Jaime Zdroik

2. Approval of Minutes

Motion made by Mae Nachman, seconded by Anna Haines to approve the April 11, 2022 meeting minutes of the Airport Commission.

Ayes all. Nays none. Motion carried.

3. Approval of Department Claims

Motion made by Mae Nachman, seconded by Anna Haines to approve the department claims for the month of April 2022 as audited and read.

Ayes all. Nays none. Motion carried.

4. Written/Verbal Report - Jason Draheim

Joel provided the Commission with an update on the fence project. There are three different crews working on the fence itself. The materials for the new Izaak Walton League driveway and for the Green Circle Trail has been placed. Sometime next week it is planned to transition both the Izaak Walton League and the Green Circle Trail over to their new driveway and trail.

5. Adjournment.

Motion made by Carl Rasmussen to adjourn the meeting.

Ayes all. Nays none. Motion carried.

Meeting Adjourned: 12:15PM

**City of Stevens Point
Transportation Commission Meeting
May 9, 2022 - 4:45 PM**

Minutes:

Discussion and Possible Action on:

1. Roll Call

Present via Zoom: Vice Chair - Karalyn Peterson, Tom Bertram, Ald. Marc Christianson, Ald. Mary Kneebone, Talin Scheuermann, Tom Carroll
Present: Kaitlyn Wall

2. Approval of April 11, 2022 minutes

Tom Bertram moved to approve the April 11, 2022 minutes. Ald. Mary Kneebone Seconded. Ayes all; Nays none; Motion carried.

3. Approval of the April 2022 financial / claims report

Ald. Mary Kneebone moved to approve the April 2022 financial/claims report. Ald. Marc Christianson Seconded. Ayes all; Nays none; Motion carried.

4. Approval to use transit general funds for the purchase of a paratransit vehicle - local cost \$18,056

Due to increased cost Central Transportation is only able to purchase two paratransit vehicles with our current order. This third vehicle will be funded through a procurement at 20% local cost.

Ald. Mary Kneebone moved to approve the use of transit general funds for the purchase of paratransit vehicle- local cost \$18,056. Tom Bertram Seconded. Ayes all; Nays none; Motion carried.

5. Approval to waive fares for people 18 and under - June 6, 2022 to September 2, 2022

Ald. Marc Christianson moved to approve to waive fares for people 18 and under - June 6, 2022 to September 2, 2022. Tom Bertram Seconded. Ayes all; Nays none; Motion carried.

6. Next meeting date:

June 13, 2022 - 4:45pm

7. Adjournment

Meeting adjourned at 4:57pm.

Ald. Shorr **moved**, Ald. Dalton seconded, to approve the request to start the Assistant Chief of Fire at Step 4 per Administrative Policy 2.06.

Call for the vote: ayes, all; nays, none; motion carried.

5. Request for Temporary Assignment Pay for Deputy Comptroller-Treasurer

Ald. Christianson **moved**, Ald. Shorr seconded, to approve the request for temporary assignment pay for Deputy Comptroller-Treasurer.

Call for the vote: ayes, all; nays, none; motion carried.

6. Adjournment.

Adjourned at 6:56pm.

CITY OF STEVENS POINT

SPECIAL BOARD OF PUBLIC WORKS MEETING

May 3, 2022 - 5:00 PM

Community Room

933 Michigan Avenue, Stevens Point, WI

MINUTES

Discussion and Possible Action on:

1. To Select a Chairperson for the Board of Public Works.

Director Beduhn called for nominations for Chairperson.

For clarification, that would be Mayor Wiza, Fred Hopfensperger and Alders Carlson, Kneebone, Morrow, Keymer and Schuda.

Ald. Morrow nominated Mayor Wiza for the Chairperson position on the Board of Public Works.

Director Beduhn asked three times if there were any other nominees?

As there were no other nominations, he declared the nominations closed.

Ald. Morrow **moved**, Ald. Kneebone seconded, to nominate Mayor Wiza as Chairperson for the Board of Public Works.

Ayes, all; nays, none; motion carried.

2. To Select a Vice-Chairperson for the Board of Public Works.

Chairperson Mayor Wiza called for nominations for Vice-Chairperson for the Board of Public Works.

Ald. Keymer nominated Ald. Morrow for the Vice-Chairperson position for the Board of Public Works, Ald. Kneebone supported that.

Mayor Wiza asked three times if there were any other nominees?

As there were no other nominations, he declared the nominations closed.

Ald. Carlson **moved**, Ald. Shuda seconded, to approve Ald. Morrow for the Vice-Chairperson for the Board of Public Works.

Ayes, all; nays, none; motion carried.

Adjourn

Adjourned at 5:02pm.

CITY OF STEVENS POINT

BOARD OF PUBLIC WORKS MEETING

May 9, 2022 - 6:18 PM

Community Room

933 Michigan Avenue, Stevens Point, WI

MINUTES

Roll Call

PRESENT Chairperson Mayor Wiza, Fred Hopfensperger, Alderpersons Ron Carlson, Mary Kneebone, Shaun Morrow, Ginger Keymer and Dean Shuda

OTHERS Directors: Scott Beduhn, Joel Lemke, Ryan Kernosky and Dan Kremer.

PRESENT Alderpersons: Marc Christianson, Meleesa Johnson, Mykeerah Zarazua, Keely Fishler.

City Staff: Attorney Beveridge, Chief JB Moody, Chief Robert Kussow, Deputy C/T Carrie Freeberg.

Others Present: Peter Gebhardt, Andrew Yonke, Mariah Shidell - 1432 West Pearl Street.

Informational

1. **Director's Report**
 - a. **Business 51 (Division and Church Streets) Reconstruction Project**
 - b. **2022 Road Resurfacing Project**

Ald. Carlson **moved**, Ald. Morrow **seconded**, to approve the Director's Report and place it on file.

Ayes, all; nays, none; motion carried.

Discussion and Possible Action

2. **Revocable Occupancy License - to allow Sentry World to install media conduits within the right-of-way of North Point Drive.**

Ald. Morrow **moved**, Ald. Carlson **seconded**, to approve the Revocable Occupancy License to allow Sentry World to install media conduits within the right-of-way on North Point Drive.

Ayes, all; nays, none; motion carried.

Adjourn

Adjourned at 6:23 p.m.

**CITY OF STEVENS POINT
PUBLIC POLICY AND GENERAL GOVERNMENT COMMITTEE MINUTES
May 9, 2022 - 6:00 PM**

**Community Room
933 Michigan Avenue, Stevens Point, WI**

**OR
Zoom Teleconferencing**

1. Roll Call.

Present: Ald. Fishler, Keymer, Christianson, Zarazua, Kneebone.

Others

Present: Mayor Wiza; Clerk Yenter; Attorney Beveridge; Deputy C/T Freeberg; Chief Moody; Chief Kussow; H/R Manager Frasch; Directors: Beduhn, Lemke, Kernosky, Kremer; Admin Assistant Church; Ald. Shorr, Johnson, Dalton, Morrow, Carlson, Shuda; Kevin Flatoff; Gary Speckmann; Fred Hopfensperger.

2. Request to Hold Event/Street Closing:

A. Filming a Video on Main Street on May 15, 2022 (New Event).

The applicant amended their request to the event start time at 9:00 a.m. and run from Third Street to the square.

Ald. Keymer moved, Ald. Christianson seconded, to approve the amended request.

Call for the vote: ayes, all; nays, none; motion carried.

B. Juneteenth on June 18, 2022 (Recurring).

C. Walk Wisconsin on June 3, 2022 to June 4, 2022 (Recurring).

Ald. Zarazua moved, Ald. Keymer seconded, to approve both recurring events.

No concerns from the police.

Call for the vote: ayes, all; nays, none; motion carried.

3. License List:

- A. Class “B” Beer/”Class B” Liquor License: Atithi, LLC at 5110 Main St, Stevens Point for license period beginning May 23, 2022.**

Ald. Keymer moved, Ald. Zarazua seconded, to approve the request.

Law enforcement shared their concerns with the license request. Chief Kussow shared a hand out regarding the number of calls law enforcement has responded to at the location in the past three months. He shared that they have received 35 calls in the last three months.

Call for the vote: ayes, none; nays, all; motion denied.

Ald. Kneebone moved, Ald. Keymer seconded, to deny the request.

Call for the vote: ayes, all; nays, none; motion carried.

- B. Class “B” Beer/”Class C” Wine License: Main Grain Bakery & Eatery at 1009 1st St, Suites B & C, Stevens Point for license period beginning May 17, 2022.**
- C. Commercial Animal Establishment License: The Dog Groomers LLC, 1432 West Pearl St, Stevens Point; Andrew Yonke & Mariah Shidell at 1432 West Pearl St, owners.**
- D. Temporary Class “B” Beer/”Class B” Wine License: CREATE Portage County, PO Box 565, Stevens Point for Dinner in My Kitchen on June 17, 2022 at 1200 Briggs Ct, Stevens Point, WI 54481.**
- E. Temporary Class “B” Beer/”Class B” Wine License: CREATE Portage County, PO Box 565, Stevens Point for Juneteenth on June 18, 2022 at 1100 Crosby Ave, Stevens Point, WI 54482.**
- F. Temporary Class “B” Beer/”Class B” Wine License: Holy Spirit Parish, 2151 Stanley St, Stevens Point for SpiritFEST on July 24, 2022 at 2151 Stanley St, Stevens Point, WI 54481.**
- G. Temporary Class “B” Beer/”Class B” Wine License: CREATE Portage County, PO Box 565, Stevens Point for Dinner in My Kitchen on October 27, 2022 at 1200 Briggs Ct, Stevens Point, WI 54481.**
- H. Temporary Extension of Licensed Premise: Ruby, Ruby Colorful Coffees, 1410 3rd St, Stevens Point, request for extension of licensed premise for a seasonal parklet May 17—October 31, 2022 to include two parking spaces functioning as additional outdoor seating, adjacent to front entrance, on the South end of the parking lot.**

- I. **2022-2023 “CLASS B” Beer and Liquor, “CLASS B” Beer and Liquor – Winery, Reserve “CLASS B” Beer and Liquor, CLASS “B” Beer and “C” Wine, CLASS “B” Beer, “CLASS A” Liquor and CLASS “A” Beer, “CLASS A” Liquor, and CLASS “A” Beer License Applicants.**

Ald. Kneebone moved, Ald. Christianson seconded, to approve the license list.

Call for the vote: ayes, all; nays, none; motion carried.

4. Adjournment.

Adjourned at 6:15 p.m.

CITY OF STEVENS POINT

FINANCE COMMITTEE AGENDA

May 9, 2022 - 6:25 PM

**Community Room
933 Michigan Avenue, Stevens Point, WI**

OR

Zoom Teleconferencing

Meeting ID: 839 1188 8593 | Passcode: 277661

By Computer:

<https://us02web.zoom.us/j/83911888593?pwd=dzF0Z3p1MFZlMEVtOUVMNkFTenBkdz09>

By Phone: +1-312-626-6799 (US Chicago)

MINUTES

I. Non-Action Items:

1. Roll Call

PRESENT Ald. Morrow, Shorr, Johnson, Dalton, and Carlson

OTHERS PRESENT Mayor Wiza; Clerk Yenter; Attorney Beveridge; Deputy C/T Freeberg; Alderpersons: Keymer, Zarazua, Kneebone, Fishler, Christianson, Shuda; Chief Moody; Chief Kussow; Directors: Beduhn, Kernosky, Kremer, Lemke; H/R Manager Frasch

II. Discussion and Possible Action on:

2. Discussion and possible action on the Weights and Measures Contract with DATCP.

Ald. Dalton **moved**, Ald. Shorr seconded, to approve the weights and measures contract with Department of Agriculture, Trade, and Consumer Protection.

Call for the vote: ayes, all; nays, none; motion carried.

3. Discussion and possible action on authorizing the Department of Public

Works to apply for various infrastructure improvement grants related to the federal Infrastructure Investment and Jobs Act, including STP-Urban and STP-Bridge.

Ald. Dalton **moved**, Ald. Carlson seconded, to authorize the Department of Public Works to apply for various infrastructure improvement grants related to the Federal Infrastructure Investment and Jobs Act, including STP-Urban and STP Bridge.

Call for the vote: ayes, all; nays, none; motion carried.

4. Discussion and action on approving staff to enter into a purchase agreement for the Fire Department Training Facility building.

Ald. Morrow **moved**, Ald. Carlson seconded, to approve staff to enter into a purchase agreement for the Fire Department Training Facility building.

Call for the vote: ayes, all; nays, none; motion carried.

5. Discussion and possible action on Assignment and Amendment to Development Agreement with Opera House, LLC.

Ald. Shorr **moved**, Ald. Dalton seconded, to approve the assignment and amendment to the Development Agreement with Opera House, LLC.

Call for the vote: ayes, all; nays, none; motion carried.

6. Discussion and possible action on the designation of the official newspaper.

Ald. Dalton **moved**, Ald. Carlson seconded, to designate the Portage County Gazette as the official newspaper.

Call for the vote: ayes, all; nays, none; motion carried.

7. Discussion and possible action on approving an overlap for the Accountant position in the Treasurer's Office.

Ald. Shorr **moved**, Ald. Carlson seconded, to approve the overlap for the Accountant position in the Treasurer's Office.

Call for the vote: ayes, all; nays, none; motion carried.

8. Discussion and possible action on approval of claims paid.

Ald. Dalton **moved**, Ald. Morrow seconded, to approve the payment of claims in the amount of \$1,711,695.04.

Call for the vote: ayes, all; nays, none; motion carried.

III. Closing Items:

9. Adjournment.

Adjournment at 6:47 P.M.



MEMORANDUM

To: Common Council

From: Ryan Kernosky, Director of Community Development
Adam Kuhn, Associate Planner / Zoning Administrator

Date: May 16, 2022

RE: **Façade Grant Request for 1040 Main Street**

Background: On December 2, 2021, the Historic Preservation / Design Review Commission approved a design review request to perform storefront alterations to the building at 1040 Main Street, along with constructing a 446 sq ft addition to the rear of the building. The scope of the storefront improvements aim to recreate building's original design from the 1880s.

With construction beginning following the December approvals, it was found that the east facing brick wall from the basement to the roof was sheared from the side wall. After consultation with the applicant and City staff, it was determined that the façade of the building would need to be removed and rebuilt to correct this issue. As the scope of this project is expanding to a storefront restoration project, the applicant is requesting a façade grant in the amount of \$43,912.00. The Historic Preservation / Design Review Commission approved the grant request during their May 4, 2022 meeting. The City's Façade Improvement Grant Program requires matching grant assistance to not exceed \$30,000 unless approved by the Common Council.

Fiscal Impact: Last month, the Common Council voted to transfer \$115,869.58 in funds from TID #6 to replenish the Façade Improvement Grant Program. When accounting for this request and other façade grant requests approved in 2022, approximately \$30,000 remains in the program.

Staff Recommendation: Staff recommends **APPROVAL** of a request from Bill Schierl for a façade improvement grant in the amount of \$43,912.00 to restore the front façade of the building located at 1040 Main Street (Parcel ID 281240832202923).

www.stevenspoint.com

Open Records Rider: The City of Stevens Point is subject to Wisconsin Statutes relating to public records. Communication, such as this document, sent or received by City employees are subject to these laws. Unless otherwise exempted from the public records law, senders and receivers of City communication should presume that the communications are subject to release upon request, and to state record retention requirements.

Ibex 1040 Main Street, LLC. – 1040 Main Street Façade Improvement Grant Agreement

Between the City of Stevens Point and Ibex 1040 Main Street, LLC.

Project Approved by the Historic Preservation / Design Review Commission: December 2, 2021 & May 4, 2022
Contract Approved by the Common Council: May 16, 2022

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Façade Improvement Grant Agreement

THIS FAÇADE IMPROVEMENT GRANT AGREEMENT is made and entered into as of the _____ day of _____, _____ by and between the City of Stevens Point, Wisconsin, a Wisconsin municipal corporation (the "City"), and Ibex 1040 Main Street, LLC. (the "Grantee").

Recitals

WHEREAS, the City has established a Façade Improvement Grant Program designed to stimulate improvement to the exterior of commercial or mixed-use buildings; and

WHEREAS, the Grantee owns a building that is eligible for Façade Improvement Grant funds and wishes to access such funds; and

WHEREAS, the Grantee is willing to make exterior improvements in accordance with the rules, requirements, and recommendations of the City, if Grantee receives such funds; and

WHEREAS, the City is willing to provide grant funds as set forth herein, and has determined that this Agreement is in the public interest.

NOW THEREFORE, in consideration of the promises and mutual obligations of the parties contained herein, each of them does hereby represent, covenant, and agree with the other as outlined in this Agreement.

Purpose of Agreement

The parties hereto are entering into this Façade Improvement Grant Agreement for the improvement of a building façade within the City of Stevens Point. Further, the parties have reached an understanding regarding participation in the future improvements and intend to enter into this Façade Improvement Grant Agreement to record the understandings and undertakings of the parties and to provide a framework within which the improvement may proceed.

Part 1. Approval

The Historic Preservation / Design Review Commission of the City of Stevens Point granted Ibex 1040 Main Street, LLC. façade improvement grant funds in the amount of \$43,912.00 on May 4, 2022. Other design review components of the project were reviewed by the Historic Preservation / Design Review Commission on December 2, 2021. The funds are applicable to the property located at 1040 Main Street (Parcel ID 281240832202923). Included with that December 2, 2021 & May 4, 2022 approvals by the Historic Preservation / Design Review Commission are conditions that the Grantee will need to comply with at the aforementioned subject property.

Part 2. Improvements

Grantee, in accordance with the provisions of Chapter 22 - Historic Preservation / Design Review – of the Revised Municipal Code of the City, the Design Guidelines of the City, and the Façade Improvement Grant Program Guidelines of the City, was granted the above approval to make the following Improvement(s) at the aforementioned property:

1. Restore the front façade (south facing wall) of the principal structure located on the subject property.

Improvements, as required by this Agreement, will be installed as herein provided and within the time limits set forth herein. Non-performance of installation of said improvements shall not be allowed and it is Grantee's primary obligation to perform.

Part 3. Plans, Specifications, and Documents

Grantee has filed with City the attached plans, specifications, and documents, collectively referred to as the "Façade Improvement Plans" pursuant to various requirements:

- A. Grantee improvement site location map is attached hereto and labeled as Exhibit A.
- B. Grantee owns a parcel of land located within the City at 1040 Main Street (Parcel ID 281240832202923) (collectively the "Property"). A description of Property, through the Property Data Sheets are attached hereto and labeled as Exhibit B. Grantee agrees and understands that the approved façade improvement grant funds, and the business conducted thereon, is only applicable to Property as approved by the Historic Preservation / Design Review Commission.

- C. Grantee application for façade improvement grant funds is attached hereto and labeled as Exhibit C.
- D. Contractor bids for the proposed work are attached hereto and labeled as Exhibit D.
- E. Renderings and photographs for and of the proposed work are attached hereto and labeled as Exhibit E.
- F. Proof of insurance for the Property is attached hereto and labeled as Exhibit F.
- G. It is mutually agreed that all terms and conditions pertaining to the improvements as imposed by the Historic Preservation / Design Review Commission as set forth in their official minutes attached hereto and labeled Exhibit G, are made a part hereof by reference and fully set forth herein.

Part 4. Conditions of Approval

This Agreement shall incorporate the recommendations of the Historic Preservation / Design Review Commission. In addition, the following terms and conditions, among others, but not limited to, are included within this Agreement:

1. The proposed windows shall be properly installed by installing caulking and weather stripping to ensure that the window units are weather tight.
2. Prior to removing paint from masonry, the applicant shall submit final details as to how the paint will be removed, subject to the masonry guidelines outlined in Sec. 3.2.2(6) & (7) of the Stevens Point Historic Design Guidelines.
3. The applicant shall submit final details on landscaping that will be included in the rear of the property, subject to the review and approval of Community Development staff meeting applicable Design Guideline and Zoning Code requirements.
4. Where masonry repairs are needed, the applicant shall abide by the tuckpointing requirements outlined in Sec. 3.2.2(8) of the Stevens Point Historic Design Guidelines.
5. A building permit shall be obtained prior to the start of construction.
6. The applicant shall obtain approvals from the Director of Public Works prior to utilizing public sidewalks during construction.
7. Staff shall have the ability to approve minor amendments to the site plan, building design and materials.
8. All work shall be completed within one year of this façade improvement grant approval.
9. The project shall adhere to Façade Improvement Grant Program Guidelines.
10. No funds shall be disbursed until the project is fully completed.

		Contractor	
	Improvements	Ellis Construction	Lang Masonry
Storefront Restoration			
1	Block work and brick work	\$109,780	\$26,600
2	Steel support, roof, windows and doors (including trim)	\$ above	\$92,000
	TOTAL:	\$109,780	\$118,600
	Lowest Bid(s)	\$109,780	
	TOTAL Project Cost:	\$109,780	
	40% of Total Project Cost:	\$43,912	

Part 5. Grantee Warranties and Representations

The Grantee makes the following warranties and representations as the basis for the undertaking on its part herein contained:

- A. Grantee is a Wisconsin Limited Liability Company, duly organized and in good standing under the laws of the State of Wisconsin, and is not in violation of any provisions of its Articles of Organization, Operating Agreement, or the laws of the State of Wisconsin, has the power to perform its obligations hereunder and has duly authorized the execution, delivery, and performance of this Agreement by proper company action.
- B. Grantee will control the construction of the improvements on the Property.
- C. The parties signing below for the Grantee warrant that they have full power and authority to execute this Agreement on behalf of Grantee, and to bind Grantee to the Agreement.
- D. Neither the execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, nor the fulfillment of or compliance with the terms and conditions of this Agreement is prevented, limited by or conflicts with or results in the breach of the terms, conditions or provisions of any contractual restriction, evidence of indebtedness, agreement or instrument of whatever nature to which Grantee is now a party or by which is bound, or constitutes a default under any of the foregoing.
- E. It is the total responsibility of Grantee to assure and guarantee that the stated improvements are complete as approved herein, and that all conditions are fully complied with. Any deviation from the approved plans or conditions shall be considered default.
- F. The construction of the Improvements on the Property by Grantee would not occur but for the financial assistance being provided by the City.
- G. Following the completion of the Improvements, Grantee shall maintain the Property in a good and presentable condition and shall promptly repair any damage. Grantee shall maintain adequate property insurance for such purpose.

- H. Grantee agrees that no part of Property will be sold, transferred, conveyed, and/or used in any manner that would render it exempt from general property taxes.

Part 6. Timeline for Completion

If not otherwise approved by the Historic Preservation / Design Review Commission, all work shall be completed within one year from the signing of this Agreement. The Chairperson and Designation Agent shall have the ability to extend the contract for a period not to exceed one additional year.

Part 7. Funds Reimbursement

Reimbursement of funds shall be limited to the amount indicated in Part 4 of this agreement. **Projects approved for matching grant assistance will be required to submit a written request to release the funds upon completion of the entire project.** Copies of all paid invoices and receipts related to the façade improvements must accompany the request for release of funding. Invoices and receipts shall clearly explain the related work (i.e. \$ for square feet of brick cleaning).

The Historic Preservation / Design Review Commission reserves the right to refuse reimbursement in whole or part for work that:

- Does not conform to the program design guidelines.
- Does not conform to the proposal submitted with your application and authorized by the HP/DRC.
- Is not completed within one year from the date the project was approved for funding.
- Does not meet the requirements of this agreement.
- Is not completed in a workmanlike manner.

Part 8. Permits and Approvals

Grantee's obligations under this Agreement are contingent on obtaining permits and other City approvals necessary for the construction. Grantee shall make all reasonable efforts to obtain such permits and approvals in a timely manner. Grantee understands that this Agreement cannot obligate the City to issue any such permits or approvals.

Part 9. Assignment

This Agreement shall be binding upon Grantee's successors and assigns, and notice of said Agreement shall be recorded or filed in the Register of Deeds Office for Portage County.

Grantee may not assign this Agreement to any individual, firm, partnership, or corporation without the approval of the City, which approval shall not be unreasonably withheld and which shall be deemed granted if not withheld by written notice to Grantee from City given on or before forty five (45) days after Grantee requests in writing that City consent to an assignment of this Agreement. If an assignment is made, all terms, provisions, and conditions contained in this Agreement, shall be binding on Grantee's successors in interest, whether such successor shall become the lessee or sub-lessee of all or part of Property.

Part 10. Default Provisions.

Division 10.01 Notice of Default

In the event either party is in default hereunder (the "Defaulting Party"), the other party (the "Non-defaulting Party") shall be entitled to take any action allowed by applicable law by virtue of said default provided that the non-defaulting party first gives the Defaulting Party written notice of default describing the nature of the default, what action, if any, is deemed necessary to cure the same and specifying a time period of not less than thirty (30) days in which the default may be cured by the Defaulting Party.

Division 10.02 Remedies upon Grantee's Default

In the event Grantee defaults under the terms of this Agreement and fails to cure the default after a notice within the time period provided pursuant to Division 10.01, then City without prejudice to any other rights or remedies afforded to the City by applicable law may compel conformance of this Agreement by bringing an action for a specific performance hereof and/or not award the Grantee the funds identified in Part 1 of this Agreement.

Part 11. Notices

All notices, demands, certificates or other communications under this Agreement shall be sufficiently given and shall be deemed given when hand delivered or when mailed by first class mail, postage prepaid, property addressed as indicated below:

To the Grantee: William Schierl
c/o Ibex 1040 Main Street, LLC
109 County Road East South
Stevens Point, WI 54481

To the City: City Clerk
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481

Any party may, by written notice to the party, designate a change of address for the purposes aforesaid.

Part 12. Nondiscrimination

With the performance of work under this Agreement, the Grantee agrees not to discriminate against any employee or applicant for employment nor shall the improvements or any portion thereof be sold to, leased, or used by any party in any manner to permit discrimination or restriction on the basis of race, religion, marital status, age, color, sex, sexual orientation, physical condition, disability, national origin, or ancestry and that the construction and operation of the improvements shall be in compliance with all effective laws, ordinances, and regulations relating to discrimination on any of the foregoing grounds. The construction and operation of the improvements shall be in compliance with all effective laws, ordinances, and regulations relating to discrimination on any of the foregoing grounds.

Nothing in this section shall prohibit discrimination based on age or family status with respect to housing for older persons as permitted by applicable federal and state law.

Part 13. No Personal Liability

Under no circumstances shall any alderperson, officer, official, commissioner, director, member, partner, or employee of the City, have any personal liability arising out of this Agreement, and no party shall seek or claim any such personal liability.

Part 14. Miscellaneous Provisions

Division 14.01 Future Improvements

Grantee agrees that any future exterior changes or improvements, and/or any changes or improvements under the review of the City via a city ordinance or other similar regulation, will comply with the requirements of said ordinance or regulation, and recommendation as required by such governing body. Failure to comply with such regulation shall be considered default, and Grantee shall be required to

reimburse City the full amount of the grant award indicated in Part 1, plus CPI adjusted annually.

Division 14.02 Cooperation with Grants

If necessary, Grantee shall work with and cooperate with City in providing data and information necessary for City to comply with the provisions or requirements in connection with a State or Federal grant or other funding applicable to and benefiting the Improvements.

Division 14.03 Entire Agreement

This document contains the entire agreement between Grantee and the City and it shall inure to the benefit of and shall be binding upon the parties hereto and the respective heirs, executives, successors and assigns. This Agreement may be modified only by a written amendment signed by the parties, which Amendment shall become effective upon the recording in the Office of Register of Deeds for Portage County.

Division 14.04 Modification of Agreement

An instrument in writing signed by Grantee and the City may only modify this Agreement.

Division 14.05 Survival of Warranties, Representations, and Agreements

Any warranty, representation, or agreement herein contained shall run with the land.

Division 14.06 Governing Law

The internal laws of the State of Wisconsin shall govern this Agreement.

Division 14.07 Captions

The captions or headings in this Agreement are for convenience only and in no way define, limit, or describe the scope or intent of any of the provisions of this Agreement.

Division 14.08 Counterparts

This Agreement may be signed in any number of counterparts with the same effect as if the signatures thereto and hereto were upon the same instrument.

Division 14.09 Severability

If any provisions of this Agreement shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever.

Division 14.10 City Authorization

The execution of this Agreement by the City was authorized by the following:

Historic Preservation / Design Review Commission on the 4th day of May, 2022.

Other design review Components reviewed by the Commission in relation to the project also occurred on the 2nd day of December, 2021.

IN WITNESS WHEREOF, the parties have duly executed this Agreement, or caused it to be duly executed, as of the _____ day of _____, 20__.

THE CITY OF STEVENS POINT, WISCONSIN

BY:

Mike Wiza
Mayor, City of Stevens Point

Attest:

Tim Siebert
Chairperson, Historic Preservation / Design Review Commission

STATE OF _____)

:ss

COUNTY OF _____)

Personally came before me this _____ day of _____, 20__, Mike Wiza, Mayor of the City of Stevens Point, and Tim Siebert, Chairperson of the City of Stevens Point Historic Preservation / Design Review Commission, to me known to be the persons who executed the foregoing instrument and to me known to be such Mayor and Chairperson, and acknowledged that they executed the foregoing instrument as such officers as the deed of said City of Stevens Point, by its authority.

Notary Public, State of _____

My commission expires: _____

Ibex 1040 Main Street, LLC.

Date: _____

By: William Schierl

STATE OF _____)
) ss
COUNTY OF _____)

The above personally came before me this _____ day of _____, 20____, of the above-named Limited Liability Company, to me known to be the person who executed the foregoing instrument and to me known to be such William Schierl of said Limited Liability Company, and acknowledged that he executed the foregoing instrument as such officer as the deed of said Limited Liability Company, by its authority.

Notary Public, State of _____

My commission expires: _____

EXHIBIT A



EXHIBIT B

LEGAL DESCRIPTION

**Lot 1, CSM# 011542 DOC-879035 BNG PRT LOTS 3 & 4 BLK 29 VALENTINE BROWN ADD .061A
884140**

EXHIBIT C

Application for Façade Improvement Grant Funds

Department of Community Development
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481



Adam Kuhn
Associate Planner/Zoning Administrator
Ph: (715) 346-1567
Fax: (715) 346-1498
akuhn@stevenspoint.com
stevenspoint.com

Façade Improvement Grant Program Application

ADMINISTRATIVE SUMMARY (Staff Use Only)

Date Submitted		Date Reviewed		Approved	Yes ☐ (\$ _____) No ☐
----------------	--	---------------	--	----------	---

APPLICANT/OWNER INFORMATION

APPLICANT INFORMATION		Owner Information (Same as Applicant? ☐)	
Applicant Name	Ibex 1040 Main Street, LLC	Contact Name	William Schierl
Address	109 County Rd E S	Address	109 County Rd E S
City, State, Zip	Stevens Point, WI 54481	City, State, Zip	Stevens Point, WI 54481
Telephone	715 345-5033	Telephone	
Cell		Cell	715 572-3203
Fax		Fax	
Email	bills@teamschierl.com	Email	bills@teamschierl.com

PROJECT SUMMARY

Scope of Work to be Undertaken (attach contractor estimates, if available)	
The scope of work is to rebuild/restore the entire facade of the building at 1040 Main Street. Brick restoration work will match original building facade, columns and window style as existed in 1908 photo.	
Describe the Positive Impact Your Project will Bring to Stevens Point	
This project will replace a formerly unsafe (full east wall sheared from brick facade which was unknown to previous owner and at time of our purchase) painted brick facade with a unpainted Chicago Pink/Red brick facade will a significantly more historic window elevation and entrance per 1908 photo.	
Total Cost of Project Improvements	Amount of Matching Grant Assistance Requested
\$ 109,780	\$ 43,912
Estimated Start Date	Estimated Completion Date
Underway - April 2022	June 2022
Number of Commercial Tenant Spaces Within the Building	Number of Residential Tenant Spaces Within the Building
Five Merchants	Zero

EXHIBITS (The following materials must accompany your application in order to be considered for matching grant assistance funding)

Complete detailed list of project revenues and expenses.	☐	Additional Exhibits If Any (List): Revenue and Expense listing Not Applicable
Two bids from qualified contractors detailing the cost of the work to be done.	☒	
Drawings detailing all of the work to be completed as part of the project.	☒	
A description/sample of project materials and colors.	☒	
Proof of insurance.	☒	
Must be current on all real estate and personal property taxes.	☒	
No outstanding amounts owed to the City of Stevens Point.	☒	

CERTIFICATION AND SIGNATURE

By my signature below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and that this application is a complete application submittal. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.

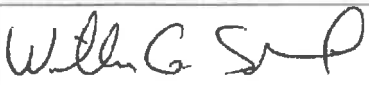
Signature of Applicant	Date	Signature of Property Owner (If not the Applicant)	Date
	4-4-22		

EXHIBIT D

Contractor Bids For Proposed Work



3201 Stanley Street | Stevens Point, WI 54481-0366 | (715) 345-5000 | www.elliswi.com

April 1, 2022

Guild Designs, LLC
Bill Schierl
1040 Main Street
Stevens Point, WI 54481

Re: 1040 Main Street Front Façade Reconstruction

Hello Bill,

We propose to furnish all labor, material, and equipment as needed to complete the work for the rebuild of the front façade at 1040 Main Street for a tax included cost of ONE HUNDRED NINE THOUSAND SEVEN HUNDRED EIGHTY.

- **Front Façade Reconstruction \$109,780**

Please note the following inclusions as they relate to our proposed and alternate costs:

- Job progress cleaning
- Temporary security fencing at Main Street
- Demolition
- Concrete work at foundation
- Structural steel supports
- CMU
- Brick veneer
- Rough framing behind and above CMU
- Cast iron columns
- Interior finish – plaster & tin ceiling reconfiguration
- Fypon trims and molding
- Terne metal roofing
- Membrane roofing patching at existing roof.

Please note the following exclusions from our proposal and alternate costs:

- Electrical and water during construction (to be provided by owner)
- MEP's (mechanical, electrical, plumbing)
- Asbestos and lead paint testing & abatement
- Final cleaning
- Performance and payment bond

We look forward to making this a successful project. Please let us know if you have any questions.

Thank You,

Sam Napiwocki
Ellis Construction
Job Cost Estimator
(715) 345-5000

LANG MASONRY

218778 STATE HWY 107 MOSINEE
WIS. 54455

Estimate

Date	Estimate #
4/1/2022	660

Name / Address
P.O. BOX 366 STEVENS POINT, WIS. 54481

			Project
Description	Qty	Cost	Total
to do new store front at 1040 main st. stevens point wis . block work at 11,200.00 , brick work at 15,400.00 total for masonry @ 26,600.00		26,600.00	26,600.00
for steel support , cast iron colloms, windows , roof at front , trim , doors, structural steel , and finishes, demo , 92,000.00		92,000.00	92,000.00
			\$118,600.00
		Total	

Quality Building Restoration Co. Inc.

725 W. Deerview Drive, Appleton, WI 54913

Telephone (920) 731-6717

03/10/22

Terry Laib
Laib Restoration
Oshkosh WI

RE: Store front at 1040 Main Street Stevens Point WI

Terry

After close inspection of the front brick façade both inside and outside it has been determined that the masonry on the lower east foundation is unstable causing the brick to shift. The best course of action would be to remove the entire brick structure from the roof down to grade, repair foundation, and rebuild the entire storefront facade.

However due to work we have under contract we must decline to offer a proposal at this time.

Thank you for the call and hope to work with you in the future.

Gerald Pukall Pres.

A handwritten signature in cursive script that reads "Gerald Pukall". The ink is dark and the signature is fluid, with a large initial 'G' and a stylized 'P'.

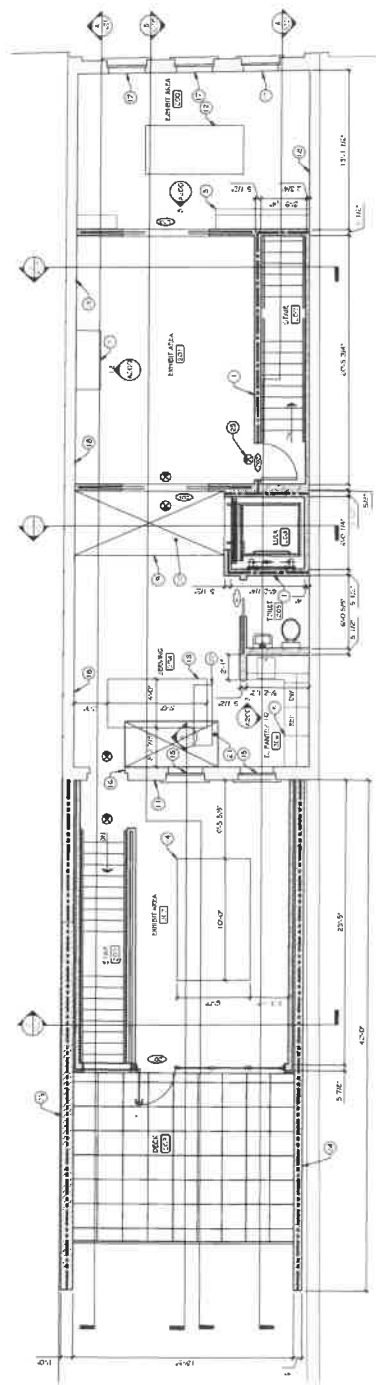
EXHIBIT E

Renderings of Proposed Work

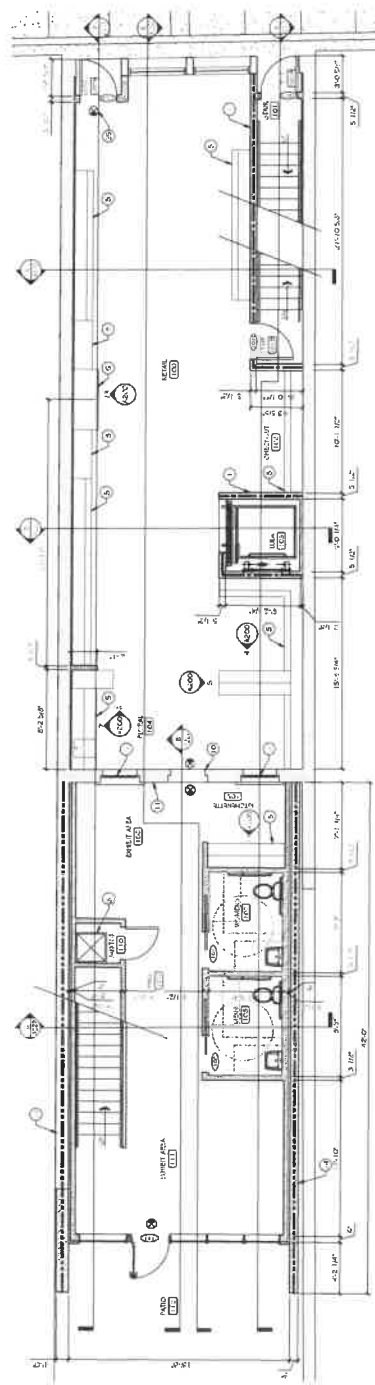
- FLOOR PLAN GENERAL NOTES:**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
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 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
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 15. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 16. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
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 18. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 19. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
 20. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.

FLOOR PLAN KEY NOTES:

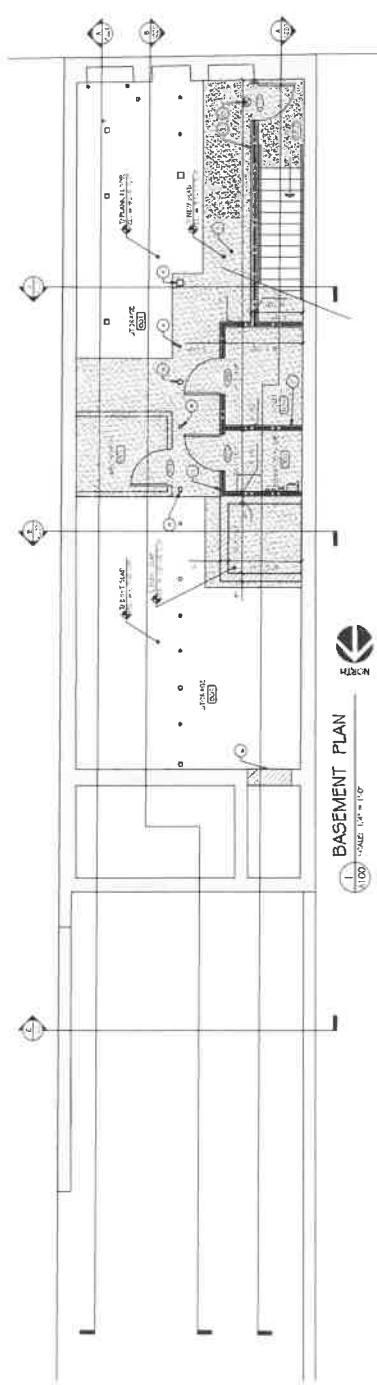
1. SEE NOTES FOR MATERIALS AND FINISHES.
2. SEE NOTES FOR MATERIALS AND FINISHES.
3. SEE NOTES FOR MATERIALS AND FINISHES.
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15. SEE NOTES FOR MATERIALS AND FINISHES.
16. SEE NOTES FOR MATERIALS AND FINISHES.
17. SEE NOTES FOR MATERIALS AND FINISHES.
18. SEE NOTES FOR MATERIALS AND FINISHES.
19. SEE NOTES FOR MATERIALS AND FINISHES.
20. SEE NOTES FOR MATERIALS AND FINISHES.



SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



BASEMENT PLAN
SCALE: 1/8" = 1'-0"

NO.	DESCRIPTION	DATE

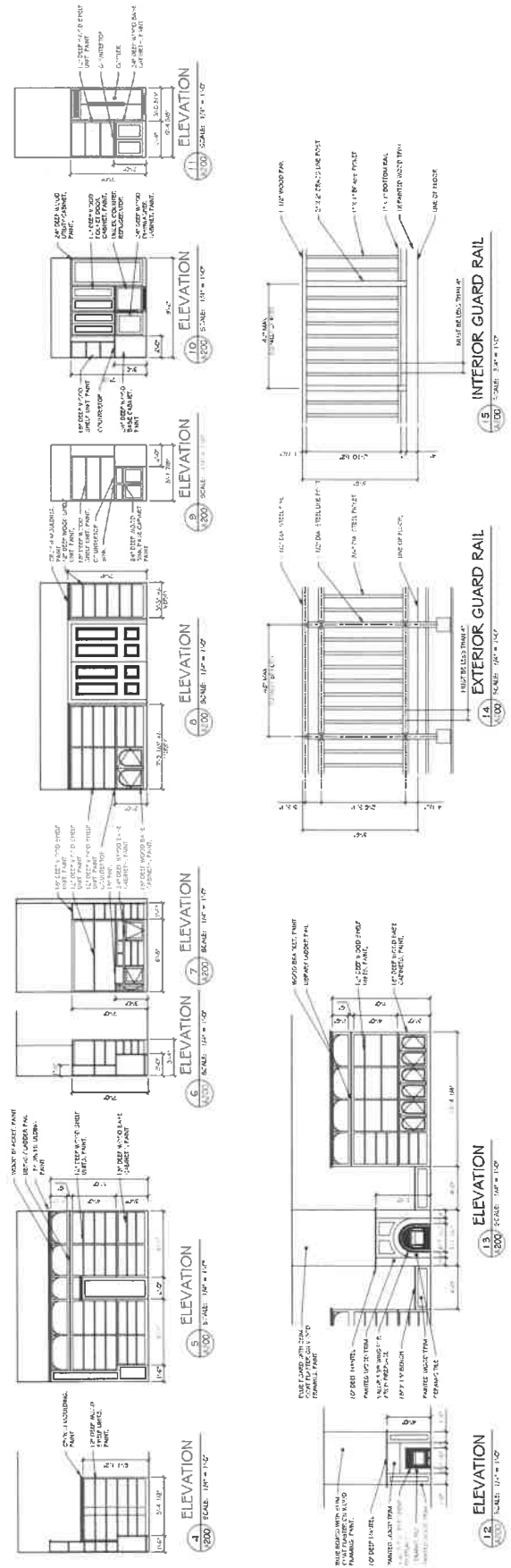
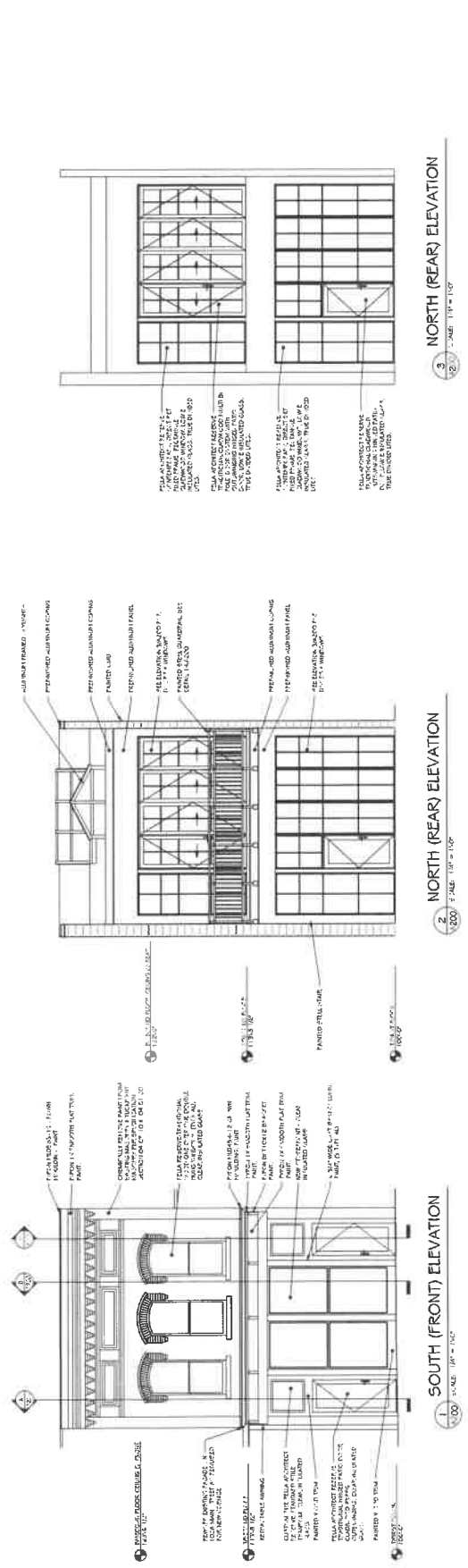
FUNCTION
200 VANDERBILT DRIVE
VIRGINIA, VA 22801
www.functiondesignstudio.com

GUILD DESIGNS, LLC
109 COUNTRY RD ES
STEVENS POINT, WI 54481

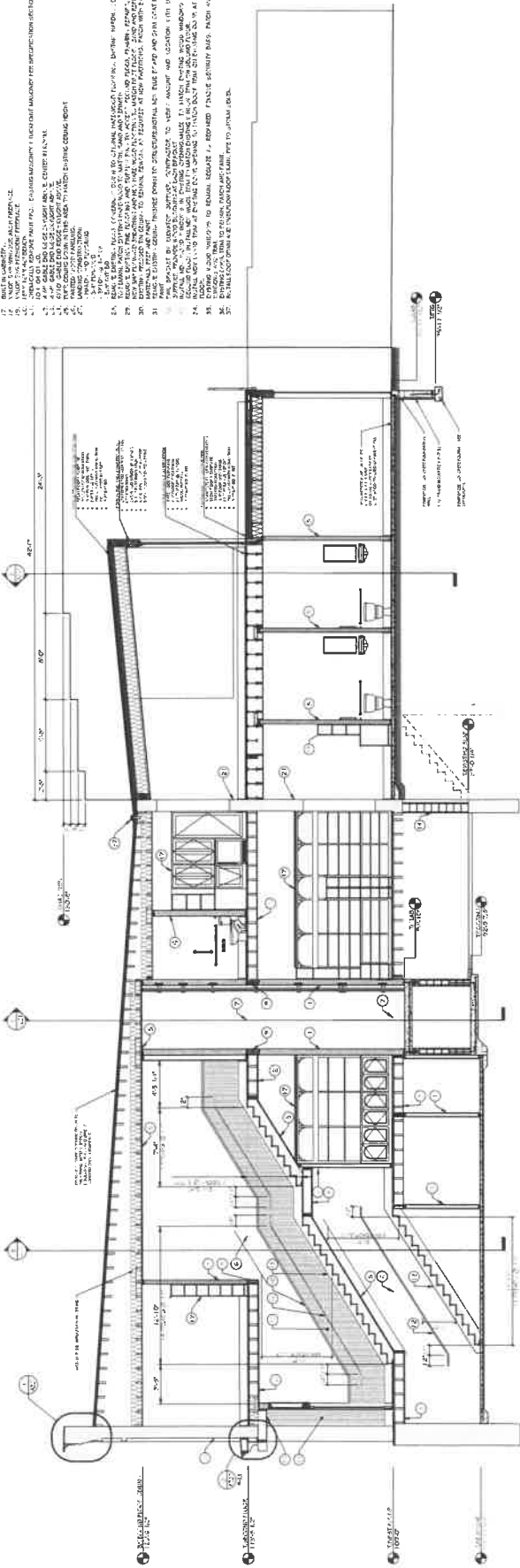
PROPOSED FLOOR PLANS
1040 MAIN STREET
STEVENS POINT, WI

DATE: 05/15	BY: JLS
CHECKED: JLS	DATE: 05/15/2021
SCALE: AS NOTED	PROJECT NUMBER: 21-033
DATE: 05/15/2021	SHEET NUMBER: 4
A100	
4 of 10	

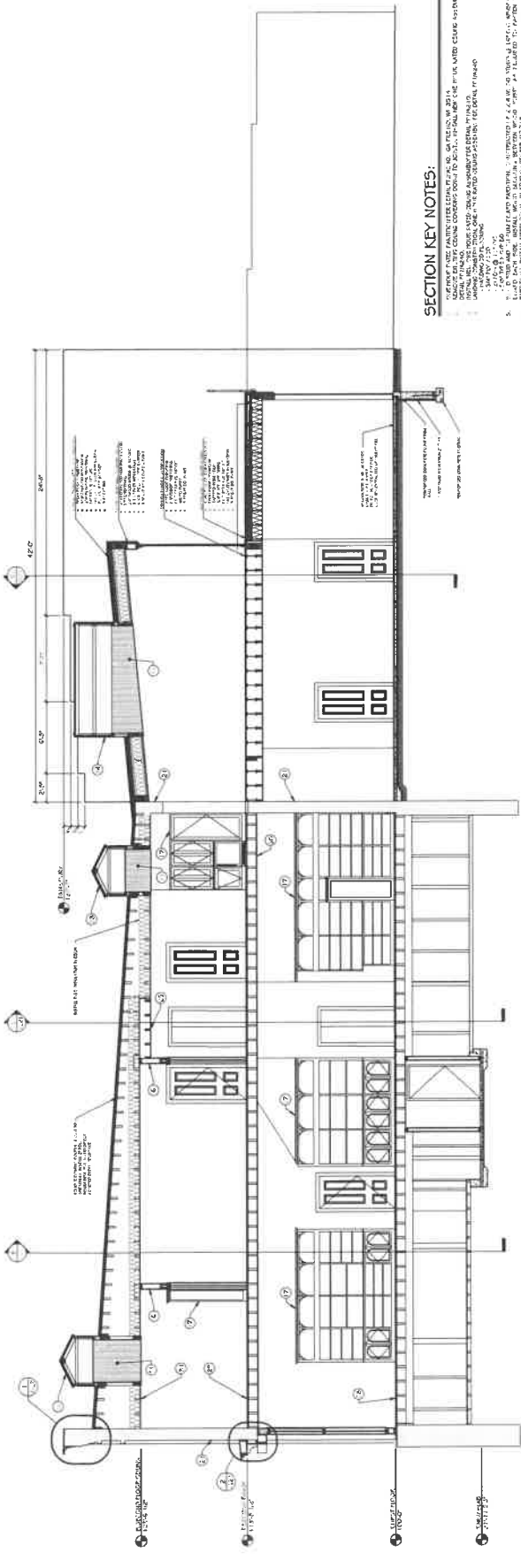
ISSUED FOR HISTORIC TAX CREDIT REVIEW



ISSUED FOR HISTORIC TAX CREDIT REVIEW



SECTION



SECTION

SECTION KEY NOTES:

- [illegible]

EXHIBIT F

Proof of Insurance



The Cincinnati Insurance Company

A Stock Insurance Company

Headquarters: 6200 S. Gilmore Road, Fairfield, OH 45014-5141

Mailing address: P.O. Box 145496, Cincinnati, OH 45250-5496

www.cinfin.com ■ 513-870-2000

COMMON POLICY DECLARATIONS

Billing Method: DIRECT BILL

POLICY NUMBER ENP 000 59 06

NAMED INSURED IBEX ADVENTURE HOLDINGS LLC

REFER TO IA905

ADDRESS 109 COUNTY ROAD E S
(Number & Street, STEVENS POINT, WI 54481
Town, County,
State & Zip Code)

Previous Policy Number:

ENP0005906

Policy Period: At 12:01 A.M., STANDARD TIME AT YOUR MAILING ADDRESS SHOWN ABOVE

All coverages except Automobile and / or Garage

Policy number: ENP 000 59 06 FROM: 11-25-2021 TO: 11-25-2024

Automobile and / or Garage

Policy number: FROM: TO:

Agency MARSHFIELD INSURANCE AGENCY, INC. 48-055

City MARSHFIELD, WI

Legal Entity / Business Description

INDIVIDUAL

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

FORMS APPLICABLE TO ALL COVERAGE PARTS:

IL0017	11/98	COMMON POLICY CONDITIONS
IA102A	09/08	SUMMARY OF PREMIUMS CHARGED
IA904	04/04	SCHEDULE OF LOCATIONS
IA905	02/98	NAMED INSURED SCHEDULE
IA4378WI	11/09	DISCLOSURE NOTICE UNINSURED AND/OR UNDERINSURED MOTORISTS COVERAGE APPLICABLE TO HIRED AND NON-OWNED AUTO
IA4513	06/20	CERTIFIED ACTS AND OTHER ACTS OF TERRORISM EXCLUSION ADVISORY NOTICE TO POLICYHOLDERS
IA4521	03/20	NOTICE OF PRIVACY PRACTICES
IP446	08/01	NOTICE TO POLICYHOLDERS
IA319	01/15	EXCLUSION OF CERTIFIED ACTS AND OTHER ACTS OF TERRORISM
IA4112WI	11/18	WISCONSIN CHANGES - CANCELLATION AND NONRENEWAL
IA4338	05/11	SIGNATURE ENDORSEMENT
IA449WI	01/89	WISCONSIN AMENDATORY ENDORSEMENT
IA4525	03/21	NOTICE TO POLICYHOLDERS EXCLUSION - COMMUNICABLE DISEASE
IP406WI	01/90	NOTICE TO POLICYHOLDER - CANCELLATION
IP427WI	01/18	KEEP THIS NOTICE WITH YOUR INSURANCE PAPERS
FM502	07/08	COMMERCIAL PROPERTY COVERAGE PART DECLARATIONS
GA532	07/08	COMMERCIAL GENERAL LIABILITY COVERAGE PART DECLARATIONS
USC513	05/10	COMMERCIAL UMBRELLA LIABILITY COVERAGE PART DECLARATIONS
HC502	01/18	CINCINNATI DATA DEFENDER™ COVERAGE PART DECLARATIONS

IA 509 01 12

Page 1 of 2

09-15-2021 12:09

ENP 000 59 06

Countersigned _____ (Date) By _____ (Authorized Representative)

EXHIBIT G

**Minutes of the December 2, 2021 and May 4, 2022 meeting of the Historic Preservation /
Design Review Commission**

REPORT OF THE HISTORIC PRESERVATION / DESIGN REVIEW COMMISSION

December 2, 2021 – 5:00 PM
933 Michigan Ave, Stevens Point, WI 54481

PRESENT: Chairperson Siebert, Alderperson Christianson, Commissioner Debauche, Commissioner Molespske, and Commissioner Munck.

ALSO PRESENT: Associate Planner/Zoning Administrator Kuhn, Bill Schierl, Sarena Melotte, and unidentified audience members via Virtual Zoom Meeting.

INDEX:

Opening Section:

1. Roll Call

Discussion and Possible Action on the Following:

2. Report of the October 20, 2021 meeting of the Historic Preservation / Design Review Commission.
3. A request from Bill Schierl, representing Guild Designs LLC, for a design review to construct a building addition and perform storefront improvements at 1040 Main Street (Parcel ID 281240832202923), consistent with Ch. 22.05(2).
4. Update on the façade improvement grant program.

Closing Section:

5. Adjourn
-

Opening Section:

1. Roll Call

Present: Siebert, Christianson, Debauche, Molespske, Munck

Excused: McComb, Scripps

Discussion and Possible Action on the Following:

2. Report of the October 20, 2021 meeting of the Historic Preservation / Design Review Commission.
Motion by Commissioner Munck to approve the report of the October 20, 2021 meeting of the Historic Preservation / Design Review Commission; seconded by Alderperson Christianson
Motion carried 5-0.
3. A request from Bill Schierl, representing Guild Designs LLC, for a design review to construct a building addition and perform storefront improvements at 1040 Main Street (Parcel ID 281240832202923), consistent with Ch. 22.05(2).

Associate Planner/Zoning Administrator Kuhn provided a summary for a design review request to construct an addition at the rear of 1040 Main Street, including storefront improvements, to restore what existed at the time of construction.

Bill Schierl, applicant, provided additional comments:

1. Summary of how building was acquired, and construction timeline to begin as early as January 3rd, 2022.
2. Major components would include the 23ft x 19ft addition to the north and restore historic components of front façade.
3. Plans to revitalize second floor as a gathering space, in addition to areas for pop-up mercantile. Mercantile-type businesses would mostly occupy the main floor.
4. Working with an architect familiar with state and federal historic submittals.
5. Detailed goals to remove paint from brick, incorporate glass with cast iron supports, tuck-pointing. Original tin ceiling is present which would be painted.

Commissioners made the following comments:

1. Inquiry if the courtyard would be covered or open-air, to which the applicant confirmed open-air.
2. Inquiry on parking, to which staff noted the abutting municipal parking lot.
3. Impressed with the amount of time and care to make sure renovations will be done well. Proposed would compliment, but not overpower, the other buildings.
4. Inquiry as to whether the windows in the back would be replaced, to which the applicant provided their proposed plan for the back, including the removal of the lean-to and the windows and door of the second floor becoming a part of the interior. Essentially, the windows would be treated as windows on the inside.
5. Requested more information as to the setback of the building once complete, to which details were provided.
6. Commended the applicant on recognizing that the condition and aesthetic of the back of the buildings were also important. Inquired on the green space to the north of Guus on Main, to which Director Kernosky provided a summary.
7. General voice of support amongst the commission.

Motion by Alderperson Christianson to approve the request from Bill Schierl, representing Guild Designs LLC, for a design review to construct a building addition and perform storefront improvements at 1040 Main Street (Parcel ID 281240832202923), consistent with Ch. 22.05(2) with the following:

1. The proposed windows shall be properly installed by installing caulking and weather stripping to ensure that the window units are weather tight.
2. Prior to removing paint from masonry, the applicant shall submit final details as to how the paint will be removed subject to the masonry guidelines outlined in Sec. 3.2.2(6) & (7) of the Stevens Point Historic Design Guidelines.

3. The applicant shall submit final details on landscaping that will be included in the rear of the property, subject to the review and approval of Community Development staff meeting applicable Design Guideline and Zoning Code requirements.
4. After obtaining approval for State and Federal Historic Tax Credits, the applicant shall transmit any requested modifications from the Wisconsin Historical Society and the National Parks Service for review and compliance with the City's Historic Design Guidelines.
5. Where masonry repairs are needed, the applicant shall abide by the tuckpointing requirements as outlined in Sec. 3.2.2(8) of the Stevens Point Historic Design Guidelines.
6. A building permit shall be obtained prior to the start of construction.
7. The applicant shall obtain approvals from the Director of Public Works prior to utilizing public sidewalks during construction.
8. Staff shall have the ability to approve minor changes to the site plan, building design and materials.

seconded by Commissioner Munck

Motion carried 5-0.

4. Update on the façade improvement grant program.

Associate Planner/Zoning Administrator Kuhn provided summaries for recipients of the grant program (full details on page 24 of the agenda packet):

1. Fall Line Outfitters (904 Main Street) – \$2,423.03 grant received.
2. Compass Rentals, LLC (1201 Main Street) – \$26,253.38 grant received.
3. Caravan Wine Shop (1221 Second Street) – \$12,128.80 grant received.

Update only, no action was taken.

Closing Section:

5. Adjourn.

Meeting adjourned at 5:19 PM.

A recording of this meeting can be viewed/heard at: <https://stevenspoint.com/365/AgendasMinutesVideos>

REPORT OF THE HISTORIC PRESERVATION / DESIGN REVIEW COMMISSION

May 4, 2022 – 4:00 PM

933 Michigan Ave, Stevens Point, WI 54481

PRESENT: Commissioner Siebert, Alderperson Christianson, Commissioner McFarland, Commissioner Munck, and Commissioner Hornung.

EXCUSED: Commissioner Scripps & Commissioner Molepske.

ALSO PRESENT: Director Kernosky & Associate Planner/Zoning Administrator Kuhn.

INDEX:

Opening Section:

1. Roll Call

Discussion and Possible Action on the Following:

2. Selection of Chairperson for the Historic Preservation / Design Review Commission.
3. Selection of Vice Chairperson for the Historic Preservation / Design Review Commission.
4. Report of the April 6, 2022 meeting of the Historic Preservation / Design Review Commission.
5. A request from Bill Schierl for a facade improvement grant in the amount of \$43,912.00 to restore the front facade of the building located at 1040 Main Street (Parcel ID 281240832202923).

Closing Section:

6. Adjourn

Opening Section:

1. Roll Call

Present: Siebert, Christianson, McFarland, Munck & Hornung

Excused: Scripps & Molepske

Discussion and Possible Action on the Following:

2. Selection of Chairperson for the Historic Preservation / Design Review Commission.

Commissioner Siebert nominated Commissioner Siebert to be Chairperson for the Historic Preservation / Design Review Commission. No additional nominations were submitted.

Vote to nominate Commissioner Siebert as Chairperson of the Historic Preservation / Design Review Commission:

Ayes: All

Nays: None

3. Selection of Vice Chairperson for the Historic Preservation / Design Review Commission.

Commissioner Hornung nominated Commissioner Munck to be Vice Chairperson for the Historic Preservation / Design Review Commission. No additional nominations were submitted.

Vote to nominate Commissioner Munck as Vice Chairperson of the Historic Preservation / Design Review Commission:

Ayes: All

Nays: None

4. Report of the April 6, 2022 meeting of the Historic Preservation / Design Review Commission.

Commissioner Munck moved to approve the report of the April 6, 2022 meeting of the Historic Preservation / Design Review Commission; seconded by Alderperson Christianson. No discussion ensued.

Motion carried 5-0.

5. A request from Bill Schierl for a facade improvement grant in the amount of \$43,912.00 to restore the front facade of the building located at 1040 Main Street (Parcel ID 281240832202923).

Associate Planner / Zoning Administrator Kuhn provided an overview of the request, noting the following:

- Prior design review that was approved by the Historic Preservation / Design Review Commission on December 2, 2021;
- Intent of the storefront improvements being replicate the original design of the building's south facing wall;
- Series of events that led to a full restoration of the building's south façade; and
- The requested matching grant assistance and how the request meets the standards of the City's Façade Improvement Grant Program.

Director Kernosky added that the applicant noted City staff of the challenges that arose with rehabbing the storefront façade and that both parties worked together to prioritize next steps. Associate Planner / Zoning Administrator Kuhn directed the Commission to page ten of the agenda packet, which outlined the steps that must be taken when there are emergency conditions dangerous to the life, health or property affecting a historic structure. It was noted that all steps were followed.

Motion by Alderperson Christianson, seconded by Vice Chairperson Munck, to approve a request from Bill Schierl for a facade improvement grant in the amount of \$43,912.00 to restore the front facade of the building located at 1040 Main Street (Parcel ID 281240832202923). No discussion ensued.

Motion carried 5-0.

Closing Section:

6. Adjourn.

Meeting adjourned at 4:09 PM.

A recording of this meeting can be viewed/heard at: <https://stevenspoint.com/365/AgendasMinutesVideos>

REVOCABLE OCCUPANCY LICENSE

THIS AGREEMENT, made and entered into on the
17th day of May, 2022 by and between

LICENSOR

CITY OF STEVENS POINT
1515 STRONGS AVENUE
STEVENS POINT, WI 54481

and

LICENSEE

Parcel ID No. 281-2408-21-3100-03
SentryWorld Real Estate, LLC
1800 North Point Drive
Stevens Point, WI 54481

WITNESSETH

1. License Location. Property of the LICENSOR located in part of the Southwest Quarter and the Southeast Quarter of Section 21, Township 24 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin. The LICENSED AREA to be located as indicated on attached Exhibit 'A'.

2. Purpose of License. To install and maintain a communication line by means of boring two 8-inch dia. conduits in a portion of North Point Drive as shown on attached Exhibit "A".

3. Grant of License. The LICENSOR grants to the LICENSEE a license to temporarily keep and maintain the above described communication line on the terms and conditions hereinafter set forth. During the existence of this communication line the LICENSEE shall fulfill the requirements of Chapter 182.0175 Wisconsin Statutes. Chapter 182.0175 defines transmission facility owner responsibilities and membership requirements.

4. Maintenance. The LICENSEE, at LICENSEE's sole cost and expense, shall install and maintain said communication line upon LICENSOR's property at the location described above in a manner and condition satisfactory to the LICENSOR's Director of Public Works, or an authorized representative. In the event, that a public works project would require that the communication line be moved or relocated, then, following a 120 days' notice from the LICENSOR, the LICENSEE, at LICENSEE's sole expense shall promptly move or relocate the communication line. LICENSOR agrees that it will not unreasonably withhold any necessary permits, licenses, or other approvals required to complete the relocation of said communication line. The LICENSEE shall be liable or responsible for the repair or replacement of any material, resurfacing, or improvement within the area designated as shown on the attached Exhibit "A" or any areas outside of the designated area disturbed by the installation, construction, repair or maintenance of the LICENSEE's communication line.

5. Payments by LICENSEE

- (a) As compensation for the license herein granted, the LICENSEE shall pay the LICENSOR a onetime fee of \$500.00 payable in advance.
- (b) The LICENSEE shall assume and pay all taxes, license fees, membership fees and charges, and other charges levied, accrued or arising out of the existence of the communication line. The LICENSEE shall assume all costs associated with the requirements and responsibilities of meeting Wis. Stats. ch. 182.0175.

6. Mechanics' and Materialmen's Liens. The LICENSEE shall fully protect the LICENSOR's property from all Mechanics' and Materialmen's liens accruing on account of any materials furnished or work done in connection with the installation, repair, maintenance, or removal of the communication line.

7. Insurance. So long as this license shall remain in force, LICENSEE, at LICENSEE's sole expense, shall maintain a comprehensive general liability policy of insurance, naming the City of Stevens Point as an additional insured and containing a contractual endorsement reading as follows:

"It is agreed that this policy covers the liability assumed by the insured under this agreement dated May 17, 2022 issued by the City of Stevens Point for the premise being part of the Southwest Quarter and the Southeast Quarter of Section 21, Township 24 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin.

The Policy shall contain a combined single limit of liability for personal injuries and property damage of not less than \$1,000,000.00. LICENSEE shall furnish a Certificate of Insurance to the LICENSOR stating that said insurance is in force and that it will not be canceled or materially changed without giving the LICENSOR not less than ten (10) days prior written notice addressed to:

City of Stevens Point
City Clerk
1515 Strongs Avenue
Stevens Point, WI 54481

8. Indemnification by LICENSEE. The LICENSEE shall assume, and does hereby assume, all risk of damage to or destruction of the communication line for any cause whatsoever while located on the LICENSOR's property, except damage caused by the gross negligence or intentional acts of LICENSOR and agrees to, and shall, at all times fully indemnify the LICENSOR and its agents and representatives against all liability, claims, demands, suits, judgments, costs, and expenses for loss or damage to all property whatsoever and injury to or death of persons whomsoever, in any manner arising from or growing out of, directly or indirectly, wholly or in part, the installation, maintenance, existence, or removal of the communication line from the LICENSOR's property at the locations described above.

9. Termination. This license shall continue in effect until terminated by either party upon 120 days prior written notice to the other party. Upon termination of this license, the LICENSEE, at LICENSEE's sole cost and expense, shall promptly remove or abandon the communication line on the LICENSOR's property and restore said property to its former condition of usefulness. LICENSOR agrees that it will not unreasonably withhold any necessary permits, licenses, or other approvals required to complete the removal or relocation of said communication line.

In the event LICENSEE shall fail to remove or abandon said communication line and, if so requested by LICENSOR, the LICENSOR shall then have the right to complete such removal or abandonment and restoration, and the LICENSEE shall promptly reimburse the LICENSOR for all reasonable and customary costs so incurred by the LICENSOR plus fifteen percent (15%) of such cost.

The agreement between the parties hereto, or their predecessors, dated May 17, 2022 is hereby acknowledged.

IN WITNESS WHEREOF, the parties hereto have caused this license to be duly executed as of the day and year first above written.

LICENSOR:
CITY OF STEVENS POINT

LICENSEE:
SentryWorld Real Estate, LLC

By: _____
Mike Wiza, Mayor

By: _____
Kari Yenter, City Clerk

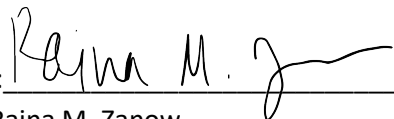
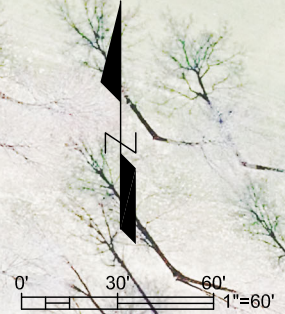
By:  _____
Raina M. Zanol
Assistant Secretary

EXHIBIT 'A'



281-2408-21-3100-03
SENTRY WORLD REAL ESTATE, LLC
1800 NORTH POINT DRIVE
STEVENS POINT, WI 54481

COMMUNICATION LINE
TWO 8-INCH DIA. CONDUITS

N88°10'43"E, 50.03'

R/W NORTH POINT DR.

S00°10'19"W, 60.04'

HAR. MON. FD.

P.O.B.

S88°10'43"W, 730.09'

S00°10'19"W, 33.02'

S88°10'43"W, 50.03'

P.O.C.
SOUTH QUARTER CORNER,
SECTION 21, T.24N., R.8E.

LICENSE
AREA

281-2408-28-2100-01
NORTH POINT DRIVE
STEVENS POINT, WI 54481

BOARD OF REGENTS
PO BOX 8010
MADISON, WI 53708



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/04/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER House Accounts 1800 North Point Drive Stevens Point, WI 54481	CONTACT NAME: Sentry Customer Service	
	PHONE (A/C, No, Ext): 800-473-6879	FAX (A/C, No): 715-346-8968
INSURED Sentry Insurance Company 1800 North Point Dr Stevens Point, WI 54481-1253	EMAIL ADDRESS: bpsupportclerks@sentry.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A : Sentry Insurance Company	
	INSURER B :	
	INSURER C :	
	INSURER D :	
INSURER E :		
INSURER F :		
NAIC # 24988		

COVERAGES

CERTIFICATE NUMBER: 2339089

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	☒ COMMERCIAL GENERAL LIABILITY			9005196003	02/01/2022	02/01/2023	EACH OCCURRENCE	\$ 5,000,000
	☐ CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 5,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$ 5,000,000
	☒ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG	\$ 5,000,000
	OTHER:							\$
A	AUTOMOBILE LIABILITY			9005196004	02/01/2022	02/01/2023	COMBINED SINGLE LIMIT (Ea accident)	\$ 5,000,000
	☒ ANY AUTO						BODILY INJURY (Per person)	\$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$
	EXCESS LIAB						AGGREGATE	\$
	DED		RETENTION \$				\$	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			9005196001	01/01/2022	01/01/2023	☒ PER STATUTE ☐ OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N					E.L. EACH ACCIDENT	\$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Refer to attached

CERTIFICATE HOLDER

City of Stevens Point
City Clerk
1515 Strongs Ave
Stevens Point, WI 54481-3543

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Scott Miller

ACORD 25 (2016/03)

9005196

Sentry Insurance Company

1 00001 0000000000 22124 0 N

Page 1 of 2

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8f9794d7-8da0-49b2-850c-75eb1ab40a18

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05/04/2022



AGENCY CUSTOMER ID: XXXXXX3950

LOC #: _____

ADDITIONAL REMARKS SCHEDULEPage 2 of 2

AGENCY House Accounts		NAMED INSURED Sentry Insurance Company
POLICY NUMBER 9005196003		
CARRIER Sentry Insurance Company	NAIC CODE 24988	
EFFECTIVE DATE: 02/01/2022		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 25 **FORM TITLE:** Certificate of Liability Insurance**General Liability**

The City of Stevens Point added as an Additional Insured as their interest may apply in regards to the following:
"It is agreed that this policy covers the liability assumed by the insured under agreement dated May 17, 2022 issued by the City of Stevens Point for premises located in part of the Southwest Quarter and the Southeast Quarter of Section 21, Township 24 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin.



GOERKE PARK
SYNTHETIC FOOTBALL FIELD REPLACEMENT
PERSPECTIVE



pra
PLUNKETT RAYSICH
ARCHITECTS, LLP

RETTLER
corporation

CONTRACT "A" - SYNTHETIC TURF REPLACMENT - BASE BID

				Sprinturf, LLC		AstroTurf Corporation	
Item			Estimated				
No.	Item Description	Units	Quantity	Unit Price	Extension	Unit Price	Extension
SYNTHETIC TURF REPLACEMENT							
1.	Mobilization	L.S.	1	\$5,000.00	\$5,000.00	\$10,651.63	\$10,651.63
2.	Removal and Disposal of Existing Synthetic Turf & Infill	L.S.	1	\$65,300.00	\$65,300.00	\$67,126.97	\$67,126.97
3.	Synthetic Turf - 52 oz. 50-50 Slit Film / Monofilament Blend w/ Thatch Layer - 2" Pile Height w/ 14MM Shock Pad including all field markings and text - Material Cost	S.F.	84,865	\$5.62	\$476,941.30	\$5.01	\$425,173.65
4.	Synthetic Turf - 52 oz. 50-50 Slit Film / Monofilament Blend w/ Thatch Layer - 2" Pile Height w/ 14MM Shock Pad including all field markings and text - Labor Cost	S.F.	84,865	\$0.79	\$67,043.35	\$1.35	\$114,567.75
5.	Tax - If Applicable	L.S.	1	\$0.00	\$0.00	\$0.00	\$0.00
MISCELLANEOUS							
6.	In-Kind Donation	L.S.	1	\$0.00	\$0.00	\$0.00	\$0.00

	\$614,284.65	\$617,520.00
As written	\$614,100.00	
Difference	\$184.65	

ALTERNATE 1 – 50 Yard Line Logo - Pointer

1.	50 Yard Line Logo - Pointer - Material Cost	EACH	1	\$16,620.00	\$16,620.00	\$7,763.09	\$7,763.09
2.	50 Yard Line Logo - Pointer - Labor Cost	EACH	1	\$3,300.00	\$3,300.00	\$4,465.91	\$4,465.91
3.	Tax - If Applicable	L.S.	1	\$0.00	\$0.00	\$0.00	\$0.00

\$19,920.00	\$12,229.00
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ALTERNATE 2 – 30 Yard Line Logo - Panther

1.	30 Yard Line Logo - Panther - Material Cost	EACH	1	\$3,700.00	\$3,700.00	\$3,232.35	\$3,232.35
2.	30 Yard Line Logo - Panther - Labor Cost	EACH	1	\$1,000.00	\$1,000.00	\$3,684.65	\$3,684.65
3.	Tax - If Applicable	L.S.	1	\$0.00	\$0.00	\$0.00	\$0.00

\$4,700.00	\$6,917.00
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ALTERNATE 3 – 30 Yard Line Logo - Cardinal

1.	30 Yard Line Logo - Cardinal - Material Cost	EACH	1	\$5,830.00	\$5,830.00	\$4,749.35	\$4,749.35
2.	30 Yard Line Logo - Cardinal - Labor Cost	EACH	1	\$1,000.00	\$1,000.00	\$3,684.65	\$3,684.65
3.	Tax - If Applicable	L.S.	1	\$0.00	\$0.00	\$0.00	\$0.00

\$6,830.00	\$8,434.00
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ALTERNATE 4 – Sideline Donor Logos (8)

1.	12' High x 36' Wide Multi-Colored Donor Logos - Material Cost	EACH	8	\$3,950.00	\$31,600.00	\$3,091.41	\$24,731.28
2.	12' High x 36' Wide Multi-Colored Donor Logos - Labor Cost	EACH	8	\$375.00	\$3,000.00	\$1,484.46	\$11,875.68
3.	Tax - If Applicable	L.S.	1	\$0.00	\$0.00	\$0.00	\$0.00

\$34,600.00	\$36,606.96
As Written	\$36,607.00
Difference	-\$0.04

ALTERNATE 5 – Center Field Donor Logo

1.	10' High x 115' Wide Multi-Colored Donor Logo - Material Cost	EACH	1	\$8,830.00	\$8,830.00	\$15,869.77	\$15,869.77
2.	10' High x 115' Wide Multi-Colored Donor Logo - Labor Cost	EACH	1	\$2,000.00	\$2,000.00	\$3,590.23	\$3,590.23
3.	Tax - If Applicable	L.S.	1	\$0.00	\$0.00	\$0.00	\$0.00

\$10,830.00	\$19,460.00
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VOLUNTARY ALTERNATES

1					\$0.00		\$0.00
2					\$0.00		\$0.00
#REF!					\$0.00		\$0.00

\$0.00	\$0.00
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Goerke Park - Synthetic Turf Replacment Project
Contract "A" Rebid - Bid Summary
City of Stevens Point Parks, Recreation & Forestry Department
Project No. 21.073

BID OPENING: April 6, 2022 - 11:00 A.M.

COMPANY	ADDENDUM'S	BID BOND	QUALIFICATION	CONTRACT "A" Synthetic Turf Replacement	CONTRACT "A" Alternate 1 - 50 Yard Line Logo - Pointer	CONTRACT "A" Alternate 2 - 30 Yard Line Logo - Panther	CONTRACT "A" Alternate 3 - 30 Yard Line Logo - Cardinal	CONTRACT "A" Alternate 4 - 12'x36' Sideline Donor Logos (8)	CONTRACT "A" Alternate 5 - 10'x115' Center Field Donor Logo	Total
AstroTurf	X	X	X	\$617,520.00	\$12,229.00	\$6,917.00	\$8,434.00	\$36,606.96	\$19,460.00	\$701,166.96
Sprinturf	X	X	X	\$614,284.65	\$19,920.00	\$4,700.00	\$6,830.00	\$34,600.00	\$10,830.00	\$691,164.65

Bid Recommendation

PROJECT: Goerke Park - Synthetic Turf Replacement Project

FROM: Rettler Corporation, Ross Rettler
TO: City of Stevens Point Parks, Recreation & Forestry Department – Dan Kremer
DATE: April 6, 2022
RE: Bid Results – Contract ‘A’ – Goerke Park – Synthetic Turf Replacement

Mr. Kremer;

The City of Stevens Point Parks, Recreation & Forestry Department, Goerke Park, Synthetic Turf Replacement Project bids for Contract “A” were opened on April 6th, 2022.

Bids for Contract “A”, Synthetic Turf Replacement were received from two (2) contractors. Bids were received from Sprinturf, LLC and AstroTurf Corporation.

Qualifying Bids, for Contract ‘A’ – Synthetic Turf Replacement – Base Bid are as follows:

<i>Sprinturf, LLC</i>	<i>\$614,284.65</i>
<i>AstroTurf Corporation</i>	<i>\$617,520.00</i>

Sprinturf, LLC is the recommended qualified low bidder for the Contract “A”, Base Bid amount of \$614,284.65. We are recommending a 7% contingency be maintained on this project. The recommended contractor has exhibited successful completion of similar past projects.

Alternate bids were solicited for (Alternate 1) 50 Yard Line Logo - Pointer, (Alternate 2) 30 Yard Line Logo - Panther, (Alternate 3) 30 Yard Line Logo – Cardinal, (Alternate 4) 12’x36 Sideline Donor Logos (8) and (Alternate 5) 10’x115’ Center Field Donor Logo. Rettler Corporation recommends the City of Stevens Point Parks, Recreation and Forestry Department accept all Alternate Bids 1, 2, 3, 4 and 5 for the project as follows:

<i>Contract “A – Alternate 1” – 50 Yard Line Logo - Pointer</i>	<i>\$19,920.00</i>
<i>Contract “A – Alternate 2” – 30 Yard Line Logo – Panther</i>	<i>\$4,700.00</i>
<i>Contract “A – Alternate 3” – 30 Yard Line Logo – Cardinal</i>	<i>\$6,830.00</i>
<i>Contract “A – Alternate 4” – 12’x36’ Donor Logos (8)</i>	<i>\$34,600.00</i>
<i>Contract “A – Alternate 5” – 10’x115’ Donor Logo</i>	<i>\$10,830.00</i>
Total Contract “A” Base Bid and Alternates 1,2,3,4 & 5	\$691,164.65

Please contact us if you have questions concerning the bid results and recommendations.

Sincerely,



Ross Rettler, PLA, ASLA
Partner



Memo

TO: City Council

FROM: Dan Kremer, Director of Parks, Recreation, Forestry

DATE: May 12, 2022

RE: Increase in Hours Request – Riverfront Art Center Director

The Riverfront Art Center was established in 1999 on the southern boundary of Pfiffner Pioneer Park. The Art Gallery operates with a part-time director and volunteers. The director of the gallery is a 20 hour per week position while the gallery itself is open 26 hours per week Wednesday – Sunday. The gallery has approximately 8 exhibits per year which are free for the public to visit.

Since 1999, the Art Gallery Director position has turned over several times and a reoccurring reason stated by previous directors is that the work load is nearly impossible to complete in 20 hours. Additionally, as volunteer recruitment continues to be a challenge after Covid, there are many times in which the director has to sacrifice administrative task hours to cover the gallery front counter volunteer hours to not go over the 20 hours per week.

I am requesting to increase the Riverfront Art Center Director position to 30 hours per week. The fiscal impact of the 10-hour increase is approximately \$13,870 per year (calendar year). The 2022 fiscal impact is approximately \$8,090. The Riverfront Art Center is set up as a special revenue fund and profits/losses carry forward with the fund from year to year. The following profits have been observed at the Riverfront Art Center over the last three years

2019 - \$31,041
2020 - \$22,392
2021 - \$31,372

The additional hours will allow the director of the gallery to more adequately staff the open hours, keep the gallery open more hours into the evening and explore special event programming and participation.

Request:

Increase the Riverfront Art Center Director position from 20 hours per week to 30 hours per week effective May 17, 2022. The additional expense would be covered by the Riverfront Art Center special revenue fund.



MEMORANDUM

To: City Finance Committee

From: Ryan Kernosky, Director of Community Development 

Date: May 9, 2022

RE: **Weights & Measures Contract with WI-DATCP**

Background: The City contracts with the Wisconsin Department of Agriculture, Trade and Consumer Protection ("DATCP") to enforce WI Stats. §98, relating to the Weights and Measures of state-governed industries like petroleum products, and produce weights. Up until WI Fiscal Year 2019, the City would be charged by DATCP to have state inspectors inspect each business yearly, with no way for the City to recover the cost. Since WI Fiscal Year 2019, the City is now able to charge the inspections to the business subject to inspection. We collect from the business and pay to the State of Wisconsin roughly \$11,200 per year.

DATCP conducted an analysis of the inspection program and has ultimately decided to split the inspections to perform business inspections every other year. Last year, 31 businesses within the City limits were subject to inspection. This means that 16 businesses will be inspected in the next Fiscal Year, while 15 businesses would be inspected in the following Fiscal Year. This means that the typical annual bill from the City for the inspection would occur every other year.

Attached to this memorandum is a copy of the contract agreement with the State of Wisconsin. It has been updated to reflect a new price of \$5,600.00 per year.

Fiscal Impact: Since the City is able to recover the \$5,600.00 cost to administer the contract, there is no fiscal impact to the City. Businesses subject to the inspections will receive a bill every other year, as opposed to yearly.

Staff Recommendation: I recommend approval as presented.

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Open Records Rider: The City of Stevens Point is subject to Wisconsin Statutes relating to public records. Communication, such as this document, sent or received by City employees are subject to these laws. Unless otherwise exempted from the public records law, senders and receivers of City communication should presume that the communications are subject to release upon request, and to state record retention requirements.



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

April 22, 2022

RECEIVED

APR 24 2022

COM DEV/INSP

RYAN KERNOSKY DIRECTOR
CITY OF STEVENS POINT
1515 STRONGS AVE
STEVENS POINT WI 54481-3594

Dear Ryan Kernosky:

The City of Stevens Point has a contract with the Department of Agriculture, Trade and Consumer Protection for weights and measures inspection services. The contract is renewable each July 1st.

State law requires that the Department charge municipalities fees sufficient to cover the cost of services rendered. The Bureau of Weights and Measures recently conducted an analysis of its inspection program. This review identified disparities in inspection intervals which resulted in inconsistent inspection frequencies statewide. As a result, the Bureau has determined that a decrease in the number of contract days is warranted.

The City of Stevens Point will be charged for 14 days in FY23 (July 1, 2022 through June 30, 2023), at \$400 per day. If the city intends to continue to contract with the State for its weights and measures inspection program, please sign and return the enclosed contract by June 15, 2022 to:

Holly Wing
DATCP
PO Box 8911
Madison, WI 53708-8911

A completed copy of the contract will be returned to you for your records. The municipality will be billed for this service in April 2023.

Sincerely,

Stephen Peter
Manager, Field Operations Section
Bureau of Weights and Measures
Phone: 608-224-4954
Stephen.peter@wisconsin.gov

Enclosures: Wis. Stat. Ch 98, Inspection Frequency Change Memo, FY23 Contract

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An equal opportunity employer



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

April 22, 2022

Subject: Inspection Frequency Change

This memo is to inform you of some upcoming changes with the Department of Agriculture, Trade and Consumer Protection's weights and measures inspection program that will commence July 1, 2022.

The Bureau of Weights and Measures recently conducted an analysis of its inspection program. This review identified some disparity in inspection intervals which resulted in inconsistent inspection frequencies statewide. In order to ensure that businesses inspected by the State are equally served and regulated, the Bureau is moving to a two-year inspection interval for most inspection types, and 'a complaint' inspection basis for some other business types. In most cases, this will mean that businesses in a municipality will be inspected every other year.

What this change in inspection frequency means for municipalities that contract with the Department is that the number of inspection days in the contract will be reduced, and consequently, the annual contract cost for inspection services.

As you are likely aware, State law requires that a municipality with a population over 5,000 either establish their own weights and measures inspection program with enough staff and equipment to ensure compliance with Wisconsin Statute Chapter 98, or contract with the State to provide those services. Should it be available in your area, you also have the option to contract with other municipal weights and measures programs for services. State law also allows a municipality to assess fees to businesses that receive weights and measures services. Those fees may not exceed the actual cost of fees paid to the Department for the same services. Ordinances and fees should be reviewed and adjusted as needed if your municipality recovers weights and measures inspection costs from regulated businesses.

The Bureau has scheduled a Microsoft Teams meeting on May 12, 2022 at 11:00 AM to speak directly with municipalities receiving weights and measures services from the Department. A link can be sent to you if you would like to participate virtually. Otherwise you can call in using the call in number below.

Conference call in number: 608-571-2209
Phone Conference ID: 959 982 573#

Please notify the Bureau by June 15, 2022 if you intend to renew your contract with the Department (sign and return the enclosed contract), establish your own program, or contract with another municipality.

If you have any questions in advance of the meeting on May 12, please contact Stephen Peter at 608-224-4954.

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MEMORANDUM OF AGREEMENT WEIGHTS AND MEASURES INSPECTION

THIS AGREEMENT is entered into by and between the STATE OF WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, hereinafter referred to as the Department, and the MUNICIPALITY OF STEVENS POINT, hereinafter referred to as the Municipality.

Pursuant to Wis. Stat. § 98.04(2), the Department agrees to furnish the services and perform the duties required to enforce the provisions of Wis. Stat. ch. 98 in the Municipality. The Department further agrees to report to the Municipality at least annually on the extent and nature of the services performed. It is understood and agreed that the Municipality shall not be required to maintain a department of weights and measures or appoint sealers of weights and measures while this agreement is in effect.

Pursuant to Wis. Stat. §§ 66.0301 and 98.04(2), the Municipality agrees to pay to the Department fees sufficient to cover the Department's annual costs of providing such services on a fiscal year basis that starts on July 1 and continues through the following June 30, with payment to be made not later than May 1 of the fiscal year of this agreement. Payment for services performed by the Department for less than any contract period shall be prorated accordingly.

This agreement shall be self-renewing for succeeding fiscal year periods, except that the sum to be paid to the Department for services rendered shall be subject to renegotiation for each succeeding contract period based on the cost of providing services. This agreement may be terminated at the end of any fiscal year by either party giving the other party written notice at least 60 days prior to July 1 of the following fiscal year. Annual fees payable to the Department shall be in the amount of **\$5,600.00**, except as otherwise agreed upon for succeeding contract periods. Under Wis. Stat. § 98.04(2), a municipality may recover an amount not to exceed the cost of fees paid to the Department by assessing fees on the persons who receive services under the weights and measures program.

The parties have entered into this agreement effective the **1st day of July 2022**.

WISCONSIN DEPARTMENT OF
AGRICULTURE, TRADE AND CONSUMER
PROTECTION

By _____
Signature Date

Administrator
Division of Trade & Consumer Protection
(608) 224-4929

MUNICIPALITY OF _____

By _____
Signature Date

Title Telephone Number



MEMORANDUM

To: City Finance Committee

From: Ryan Kernosky, Director of Community Development 

Date: May 9, 2022

RE: **Assignment and First Amendment to Development Agreement with Opera House, LLC**

Background: In September 2020, the City entered into a development agreement with the Opera House, LLC to redevelop the former Fox Theatre at 1124 Main Street. Due to supply-chain and labor challenges, Opera House, LLC is seeking to extend the final occupancy agreement from July 1, 2022 to December 31, 2022. Staff asked for an updated timeline for the project, which is included below. Although the City does have a 'claw back' provision of the development agreement (wherein the City would purchase the property back for \$1 if the requirements of the development agreement are not met), I don't believe that we currently have the desire to do so, especially if the developer adheres to the updated timeline.

<u>Tasks</u>	<u>Start Date</u>	<u>End Date</u>
Engineering and Plans	08/04/2020	05/01/2022
Excavation/Demolition	08/05/2020	12/22/2021
Marquee Removal	8/9/2020	
Building Repair and Mitigation	09/07/2020	07/01/2022
Exterior Masonry Repair and Tuckpointing	05/01/2022	06/15/2022
Landscaping/Planting	09/07/2020	06/01/2022
Interior Remodel		11/30/2022
Electrical/HVAC		08/01/2022
Finishing	08/20/2020	12/31/2022
Soft Opening Bier Garden	10/01/2021	9/15/2022
Event Space Hosting Availability		12/31/2022

www.stevenspoint.com

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Additionally, while reviewing the development agreement, staff noticed that Wildcard Corporation was listed as the developer, but the signatory was The Opera House, LLC. While these two companies are owned and managed by the same individuals, for legal purposes and to clean up the mistake, the development agreement will be assigned to The Opera House, LLC.

Staff Recommendation: Staff recommends **APPROVAL** as proposed. Thank you.

ASSIGNMENT AND FIRST AMENDMENT OF DEVELOPMENT AGREEMENT

This ASSIGNMENT AND FIRST AMENDMENT OF DEVELOPMENT AGREEMENT (this “First Amendment”) is made as of the _____ day of _____, 20____ by and between the City of Stevens Point, Wisconsin (“City”), Wildcard Corporation (“Assignor”) and The Opera House, LLC (“Assignee”).

RECITALS

The City, Assignor, and Assignee acknowledge the following:

- A. The Assignor and City entered into that certain Development Agreement dated as of the 2nd day of September, 2020 (the “Development Agreement”) regarding the redevelopment and repurposing of certain real property legally described within Exhibit A attached hereto (the “Property”). All capitalized terms not defined in this Assignment and First Amendment shall have the meanings assigned to them in the Development Agreement.
- B. Assignee has been formed for the purpose of acquiring the redeveloping the Property.
- C. Assignor wishes to assign its right and obligations under the Development Agreement to Assignee, pursuant to the terms of the assignment component of this Agreement, and City wishes to express its consent to such Assignment.
- D. The Developer and City understand the financial and building materials supply-chain challenges brought on by the Coronavirus Pandemic, which has continued to negatively impact real estate development.
- E. The Developer and City understand that the project would not happen but for the proposed amendment contained herein.

AGREEMENT

In consideration of the Recitals, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. Assignor hereby assigns to Assignee all of Assignor’s right, title, and interest in and to the Development Agreement, as amended.
- 2. Assignee hereby accepts the assignment of the Development Agreement, as amended, from Assignor and assume all of Assignor’s rights, interests and obligations under the Development Agreement, as amended.
- 3. The terms of the Development Agreement, as amended, remain unmodified and in full force and effect. This Agreement may be executed in several counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument. This Agreement may be executed via email or facsimile transmission

and all PDF (or similar electronic format) or facsimile signature shall be deemed originals for all purposes.

AMENDMENTS

In consideration of the Recitals, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Assignee, City, and RA hereby amend the Development Agreement, as follows:
 - a. Article IV, Section 4.1(3) is hereby amended to read the following:
 - (2) Following commencement of work outlined in Article IV Section 4.1(2), Developer shall obtain final occupancy no later than ~~July 1, 2022~~ December 31, 2022.

- *Signatures on Next Page* -

In Witness Whereof, Developer executed the foregoing Assignment and Amendment as of the date first set forth above.

Wildcard Corporation

Dated: _____

BY _____
Gregg Gokey
Manager

STATE OF _____)
) ss.
_____ COUNTY)

Personally came before me this _____ day of _____, 202____, the above-named _____, to me know to be the person who executed the foregoing instrument and acknowledge the same, as the act and deed of Wildcard Corporation, by its authority.

Notary Public, State of _____

(seal)

My Commission expires: _____

BY Gregg Gokey
Manager

CITY OF STEVENS POINT, WISCONSIN

Dated: _____

BY _____
Mike Wiza
Mayor

Dated: _____

BY _____
Kari Yenter
City Clerk

STATE OF WISCONSIN)
) ss.
PORTAGE COUNTY)

Personally came before me this _____ day of _____, 202____, the above-named Mike Wiza, and Kari Yenter, the City Mayor and Clerk, respectively of the City of Stevens Point, a Wisconsin municipal corporation, to me known to be the persons who executed the forgoing instrument and acknowledged the same, as the act and deed of said municipality, by its authority.

Notary Public, State of Wisconsin

(seal)

My Commission expires: _____

**THE REDEVELOPMENT AUTHORITY
OF THE CITY OF STEVENS POINT,
WISCONSIN**

Dated: _____

BY _____
John Schlice
Chairman

Dated: _____

ATTEST: _____
Ryan J. Kernosky
Executive Director

STATE OF WISCONSIN)
) ss.
PORTAGE COUNTY)

Personally came before me this _____ day of _____, 202____, the above-named John Schlice, and Ryan J. Kernosky, the Chairman and Executive Director, respectively of the Redevelopment Authority of the City of Stevens Point, to me known to be the persons who executed the forgoing instrument and acknowledged the same, as the act and deed of said municipality, by its authority.

Notary Public, State of Wisconsin

(seal)

My Commission expires: _____

Exhibit A

Legal Description

1116 Main Street Stevens Point, WI 54481 described as follows:

Lot 1 of Portage County Certified Survey Map No. 011409 recorded in the Office of the Register of Deeds for Portage County, Wisconsin on September 28, 2020 as Document No. 855837, being part of Lots 6, 7, 16, and 17 of Block 28 of Valentine Brown's Addition to the City of Stevens Point, and all of Lot 1 of Portage County Certified Survey Map No. 011321, located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 24 North, Range 8 East, City of Stevens Point, Portage County, Wisconsin.

Parcel Identification No.: 281-24-0832202973