

**PLATTEVILLE COMMON COUNCIL PROCEEDINGS
JANUARY 12, 2016**

The regular meeting of the Common Council of the City of Platteville was called to order by Council President Eileen Nickels at 7:00 PM in the Council Chambers of the Municipal Building.

ROLL CALL

Present: Barbara Daus, Mike Denn, Ken Kilian, Tom Nall, President Eileen Nickels, Amy Seeboth-Wilson, and Barbara Stockhausen. Absent: None.

PUBLIC HEARINGS

- A. *Resolution 16-01 Discontinuing a Portion of Jones Street and Right-of-Way Encroachment* – President Nickels recused herself from discussion and action on this topic. President Pro-Tem Daus opened the public hearing. Community Planning & Development Director Joe Carroll provided an overview of the requests for the Council to discontinue a portion of Jones Street located in the middle of the block bounded by Main Street, Chestnut Street, Pine Street, and Court Street, and approve several encroachments into the right-of-way of Main Street, Chestnut Street, and Jones Street related to a proposed building expansion of Steve’s Pizza. Carroll clarified that Council would not be approving the proposed 3-story building addition (brew pub and expanded restaurant space) onto the east side of the existing Steve’s Pizza building and the removal of the Viewpoint building and former office supply building. The request is to discontinue the northern 32’ of the remaining portion of Jones Street, which would include an ingress-egress easement on the eastern half of the vacated street (18’) to maintain vehicular access to the properties on the block. Staff recommended to instead discontinue the western 12’ of the northern 32’ of Jones Street, eliminating the need for the easement to maintain access to the other properties, but still provide the applicant with the area needed to locate the utilities and silos for the brewery. In addition to the expansion into a portion of Jones Street that is being requested for discontinuance, the project would also involve the following right-of-way encroachments: a) along Chestnut Street – the project would include the construction of a brick wall, located adjacent to the public sidewalk, that would be used for signage as well as provide screening for the proposed parking spaces that would be installed where the former office supply business is now located; b) a portion of a proposed accessible parking stall that will be provided to the south of the existing building will encroach into the remaining part of Jones St – the encroachment will involve only the painting of the stall itself onto the pavement, but would prevent the use of this area for other purposes; c) the building addition would include the extension of the raised sidewalk and guardrail that currently extend into the right-of-way along Main Street in front of the existing building; and d) the installation of brick pillars (similar to the pillars located on Second Street) and a fence that would provide screening of the parking stalls along Main Street. Staff had no concerns with the encroachments proposed, but recommended that the approval be subject to the issuance of a Revocable Occupancy Permit. The Plan Commission met on December 7, 2015 and recommended approval of the Staff recommendations for both requests. Applicant statement included Oneiro LLC President John Patakos who stated that he started thinking about expanding his business three years ago in conjunction with the Library Block project talks and about 3 months ago he contacted engineers to draw up plans when the Council approved the Library Block development. A brewery would be a unique distinction for the City and he plans for it to be a destination when people visit Platteville. His other comments included that it will create more jobs, higher real estate taxes, boost the local economy, better storm water runoff, better looking buildings, and increase the walking and driving traffic downtown. Dan Dreessens and Scott Chyko of Delta 3 Engineering provided a Powerpoint presentation of the proposed project that detailed the existing conditions, proposed improvements, parking requirements, and the impact of the project on downtown. In closing, Legal Counsel Michael Olds stated that the purpose for vacating Jones Street was to facilitate this project as it will provide the needed additional space for loading, silos, and utilities. Because John owns the properties on both sides of the street, he would end up with ownership of the property. Access for

the neighbors will continue without problem, public parking will not be changed, and the benefits of this project is consistent with the Downtown Revitalization Plan. No public statements in favor. The Platteville Regional Chamber registered in favor of the project. Registered against was Jane Meekma of 30 S Court Street. Public statements against included Eric Cleveland of 145 W Main Street, Jake Riniker of 125 W Main Street, Jayne Stark of 30 S Court Street, and Bill McBeth of 1723 Rex Rd. Mr. Cleveland comments included that his ingress/egress is blocked by the gas main owned by John, chaotic construction, the project changes every time he hears it, addition is less than 10 yards from his wall, concern with the lack of communication regarding the project from the start, 5 parking spots being used now by the businesses on the block that will be gone, refuse area is not big enough, thinks people will only park downtown for functions – not to shop, and concluded with being very disappointed with the City and the Plan Commission vote. Mr. Riniker asked if there was anything in writing regarding a payment in lieu of taxes in the event the project doesn't happen with regard to the street vacation approval and agreed with the Staff recommendation to only give 12' and leave the rest of Jones Street open to the public. Ms. Stark, owner of Jayne's Family Hair Care, comments included concern about parking for her mostly senior citizen clientele and evening parking. She presented a petition signed by over 200 patrons of her shop against the discontinuance of Jones Street because it will reduce available parking for local businesses. Mr. McBeth, co-owner of Driftless Market stated that he sent a letter to the Council regarding the parking and commented that they also consider themselves a "destination" business and need the parking. People carry heavy organic groceries from their store and they won't walk a quarter of a mile – too inconvenient. There is no guarantee that other businesses will not be adversely impacted, and asked that the Council deny or take no action until they can have thoughtful discussion about parking in this area. Public statements in general – Main Street Executive Director Jack Luedtke stated that traffic control and parking concerns are a natural side effect to proposed developments and they don't take those concerns lightly. They are working to pull together a neighborhood meeting with City Staff and Council representatives next week on Thursday at 6 PM at Julie's Divine Wine & Stein, to explore any and all possible ways to mitigate the traffic and parking issues and concerns downtown. He noted that this is not a short term issue. With over 115 businesses in the downtown area, they don't want to lose any businesses over parking. Applicant rebuttal included comments that the ingress/egress issue that Mr. Cleveland referred to has been there forever, but John has plans to move the gas meter. They are still working on the refuse issue. With regard to a PILOT, they have never seen a PILOT with a street vacation before. With regard to parking stalls, they don't believe they are vacating any legal parking lots, the idea is to make it less congested and easier to get through. Motion by Kilian, second by Denn to close the public hearing. Motion carried 6-0 on a roll call vote. Council discussion included clarification questions about the project, whether the Council has the right to deny a street vacation request because of parking concerns, and whether to table action until after the neighborhood parking meeting discussion. Kilian was concerned that the parking requirements were outdated with respect to big projects downtown. Daus reminded the Council that the downtown parking requirements were implemented within the last five years, before that there were no parking requirements. Motion by Denn, second by Stockhausen to approve Resolution 16-01 to Partially Discontinue a Street discontinuing the westerly 12 feet of the northerly 32 feet of platted Jones Street as presented. Motion carried 5-1 on a roll call vote with Kilian voting against. Motion by Seeboth-Wilson, second by Denn to approve the right-of-way encroachments into the right-of-way of Chestnut Street, Main Street, and Jones Street as shown on the proposed site plan, subject to the issuance of a Revocable Occupancy Permit. Motion carried 5-1 on a roll call vote with Kilian voting against.

- B. *Ordinance 16-01 Repealing and Recreating Portions of Section 26 Floodplain Zoning* – President Nickels opened the public hearing. Community Planning & Development Director Joe Carroll explained that Chapter 26 regulates the development and use of lands that are located within areas designated as floodplains and was based on a model ordinance provided by the Dept of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA). The proposed revision

is due to the creation of updated Flood Insurance Rate Maps (FIRMS) by FEMA. The maps include an updated legend and aerial photo base map, so they are more accurate and it is easier to determine where the floodplain boundaries are located on individual properties. In order to maintain eligibility in the National Flood Insurance Program, the City is required to adopt any updated floodplain management regulations, including updated maps, proposed by FEMA. Any changes adopted by the City must also be approved by the DNR and FEMA. The Plan Commission recommended approval at their December 7, 2015 meeting. Staff recommends approval as presented. No public statements in favor, against, or in general. Motion by Daus, second by Stockhausen to close the public hearing. Motion carried 7-0 on a roll call vote. Motion by Kilian, second by Stockhausen to approve Ordinance 16-01 Repealing and Recreating Portions of Section 26 Floodplain Zoning as presented. Motion carried 7-0 on a roll call.

CONSIDERATION OF CONSENT CALENDAR

Motion by Seeboth-Wilson, second by Denn to approve the consent calendar as follows: December 8, 2015 Special, December 8, 2015 Regular, and December 29, 2015 Special Council Meeting Minutes; Payment of Bills in the amount of \$6,461,452.66; December Financial Report; One-Year Operator License to Henry W Karlzon and Nick P Reinhold; Two-Year Operator License to Nickolas J Allar, Brittany C Bagstad, Karsen M Haag, Collin L Hauser, Elliot A Momchilovich, and Juan Monjarrez; Taxi Vehicle License to Russ Stratton Buses Inc, 320 E Jean Street, Cuba City for 2012 Ford Starcraft-Plate #18713B, 2012 Ford Starcraft-Plate #18714B, and 2016 Ford Starcraft-Plate #22135B, and to Good Plan Van, 520 N 2nd Street for 2007 Dodge Town & Country-Plate #206TRT; Taxi Driver License to Stacy R Bams, Carl H Coates, Gary J Cullen, John W Gard, Thomas G Genthe, Danyel M Hargrove, Mark W Henry, Sally A Kirschbaum, Jeffrey C Kopp, and John H Risic; and Banner Permit to Platteville Fire Dept for March 20 Pancake Breakfast from March 7-21 as presented. Motion carried 7-0 on a roll call vote.

CITIZENS' COMMENTS, OBSERVATIONS AND PETITIONS, if any.

None.

REPORTS

- A. Committee Reports – Meeting reports were submitted by Police & Fire Commission, Parks Forestry & Recreation, Airport Commission, Water & Sewer Commission, Commission on Aging, Library Board, and Freudenreich Animal Care Trust Fund Committee.
- B. Other Reports
 - 1) City Attorney December Itemized Statement
 - 2) Water & Sewer December Financial Report
 - 3) Airport December Financial Report
 - 4) Department Progress Reports

INFORMATION AND DISCUSSION

- A. *Resolution Amending the Schedule of Fees* – City Clerk Jan Martin provided an overview of the proposed changes to the 2016 Schedule of Fees which included a new fee (\$10) for provisional taxi and taxi driver licenses, increased fee (\$15) for public records on CD/DVDs, charging different cemetery rates for weekend/holiday burials, and multiple changes to the recreation programs. Denn stated that he was not in favor of having different rates for weekend/holiday burials. Recreation Coordinator Luke Peters spoke to the proposed changes to remove the resident vs. non-resident pool admission fees. The Council requested that Peters provide pool admission rates from surrounding communities for the next meeting. Action at next meeting.
- B. *Assign Rights and Obligations Under Development Agreement – McGregor Plaza Sale* – Community Planning & Development Director Joe Carroll explained the owners of McGregor Plaza at 125 E Pine Street are planning to sell the property to Piggly Wiggly Midwest LLC. In 2006, the City agreed to provide financial assistance through TIF 7 to aid in making physical improvements to the property. The development agreement that was completed as part of that assistance included a provision that

the terms of the agreement are assignable to another party with written agreement by the City. The current owners are asking that the City agree to the sale of the property. Staff recommends that the sale of the property be approved as requested with the condition that the buyers be subject to all of the terms and conditions of the original Development Agreement. Action at next meeting.

- C. *Ordinance Amending Section 31.18 to Allow Provisional Taxi and/or Taxi Driver Licenses* – City Clerk Jan Martin explained that the intent of the ordinance is to allow the City Clerk to issue provisional taxi and taxi driver licenses similar to the way provisional operator licenses are currently issued. This provisional license would cover the qualified applicant during the interim period before regular Council action. Action at next meeting.

The Council took a 10 minute break.

WORK SESSIONS

- A. *Proposed St Augustine Development Parking Options* – Representatives Steve Harms, Bill Levy, Father John Del Priore, and Steve Davies met with the Council regarding parking options for the proposed St Augustine Development located on the block bounded by Greenwood Ave, W Pine, S Hickory, and Bradford Streets. They distributed a handout entitled Proposed Faith-Based Student Housing & The Newman Center at St Augustine’s Parish and provided an overview of the planned unit development (PUD) project that expands the current parish and includes a 40 unit (144 beds) apartment building for moral based student housing. The block would be parish owned and a payment in lieu of taxes (PILOT) would be negotiated. With new developments, City codes require parking spaces for at least 75% of the number of beds - in this case 108 parking spaces. The site plan as proposed includes parking for 62 cars onsite - 32 cars above ground and 30 cars underground - a 43% ratio. But since this development is a PUD, the amount of parking spaces could instead be determined by the Council. They believe that since the development is adjacent to the UW campus, that the majority of the students will not need cars. The students already have bus passes for trips to local businesses. Proposed parking alternatives such as providing a 15 passenger van, "zip car" concept (providing 2-3 cars for resident use), allowance for taxi, and providing incentives (discounts) for not bringing cars, and possible parking alternatives such as offsite parking lots within 3-5 blocks were discussed. The consensus of the Council was that they were willing to look at requiring less onsite parking with the guarantee that the minimum parking requirements would be met.
- B. *IT Update with CompuNet* – Due to lateness of the evening, this agenda item will be rescheduled to a February meeting.

ADJOURNMENT

Motion by Daus, second by Stockhausen to adjourn. Motion carried on a voice vote. The meeting was adjourned at 10:25 PM.

Respectfully submitted,

Jan Martin, City Clerk