

PUBLIC PROTECTION COMMITTEE
Monday, January 13, 2014 – 6:36 P.M.
Lincoln Center – 1519 Water Street

Present: Alderpersons: R. Stroik, Wiza, Suomi, M. Stroik

Excused: Ald. Trzebiatowski

Also

Present: Mayor Halverson; City Attorney Beveridge; C/T Ladick; Clerk Moe; Alderpersons Doxtator, Slowinski, Patton, Phillips and Moore; Directors Schrader, Lemke and Ostrowski; Chief Ruder; Chief Kujawa; Asst. to the Mayor Pazdernik; Finance Manager Freeberg; Officer Anderson; Mary Ann Laszewski; Armin Nebel; Barb Jacob; Sue Beveridge; Joe Senn; Cathy Dugan; Michelle Lewis; Jim Lienlokken; Dan Schlutter; Dan Mahoney; Dwayne Wierzba; Ron Ledford; David Knaapen; Karen Bertolini; David Grace; Nate Enwald – Gazette; Brandi Makuski – City Times; Chris Jones - Journal

Ald. R. Stroik announced that without objection, he would like to move item #5 – Presentation on the concept of a Municipal Court to the beginning of the agenda.

5. Presentation on the concept of a Municipal Court (Discussion Only).

Chief Ruder gave a PowerPoint presentation on Joint Municipal Courts (a copy of the presentation is attached). The Chief stated this is a great opportunity for the City of Stevens Point.

Mayor Halverson said one element the City and Village of Plover would want to pursue is language in the ordinance relating to the distribution of operating costs for the court system. He said there would be recommendations for appointment of a judge from the committee. One requirement for judge would be that they are an attorney. The Mayor said the committee would consist of three representatives from the City and two representatives from Village of Plover. He said it will most likely be himself, the Village President, two alderpersons and one village trustee.

Ald. R. Stroik asked where the appeals process would go to if they are not satisfied with the outcome at the municipal level.

Ron Ledford, District Court Administrator, said it would go to the county court system.

Ald. Wiza supports a municipal court.

Ald. R. Stroik asked if Plover is ready to take this to their Board to move forward with the process.

Dan Mahoney, Plover Administrator, replied yes, they are comfortable with the proposal. He said there are also many advantages for their community.

City Attorney Beveridge said a municipal court is a court whose jurisdiction is only civil citations issued by the City of Stevens Point and Village of Plover. He said with a municipal court, they could be more flexible in scheduling trials which will save money.

Ald. Moore asked if any additional personnel is needed besides the judge and court clerk.

Karen Bertolini, Wisconsin Rapids Municipal Court Clerk, said there should not be a need for any other personnel.

David Grace, Town of Rome/Grand Rapids Municipal Court Judge, said a trial would be tape recorded and if someone appeals it to the circuit court, they would pay the cost to transcribe it so additional personnel should not be needed.

Ald. Suomi asked if there will be set hours or is it just as needed.

Mr. Ledford said that is the advantage of a municipal court, it is flexible.

Ald. R. Stroik said you could flex the hours having both evening and daytime hours.

Mr. Grace said his appearance dates are only once per month and the Municipal Court Clerk is twice per month in Wisconsin Rapids.

Ms. Bertolini said initial appearances are the first and third Wednesday starting at 5:30 p.m. and trials are the second Wednesday of each month starting at 5:00 p.m.

Ald. Slowinski asked how the people will know when their court date is.

Chief Ruder replied the dates are predetermined.

City Attorney Beveridge outlined the procedures for court dates. He said trials will have more flexibility.

Ms. Bertolini said they allow pretrials to be rescheduled if necessary.

Mr. Grace said a municipal court gives law enforcement flexibility and a more personal touch. He encouraged both communities to put this into place. Mr. Grace said the revenue should not be the reason for the creation of a municipal court. It is a way for the City and Village to have a community approach to deal with these matters.

Ald. Slowinski asked if the municipal court could take some county cases to help take the burden off of them.

Mr. Ledford said this is a municipal court for the City and Plover. He noted the court could be expanded to include other municipalities.

Mr. Grace said the county will not write the forfeiture offenses for the City.

Mr. Ledford said once this court is created, it is a Wisconsin court that is under the jurisdiction of the Wisconsin Supreme Court.

Ald. Phillips asked how a municipal court can be disbanded.

Mr. Ledford replied the term of the court runs the term of the judge. He said if it is an elected judge, the term is generally four years. Mr. Ledford noted the court has to exist for at least three years.

Ald. Doxtator asked if there are any disadvantages to a municipal court.

Mr. Grace responded no. He added that there are no jury trials at the municipal level.

Mr. Ledford said he has never received any complaints from the public about any actions they went through at a municipal court.

1. License List:

A. New Operator's (Bartender's) Licenses.

B. Temporary Class "B" / "Class B" Retailer's License (Picnic License):

- i. St. Casimir Parish, 203 W. Casimir Road, Stevens Point for St. Casimir Winter Dinner Dance, on February 22, 2014 at 1025 Second Street North, Stevens Point. Licensed operator on the premise: Phillip Janowski. (Beer only)
- ii. Bill Cook Chapter – IWLA, P O Box 582, Stevens Point for 50th Annual Winter Jamboree on Saturday, February 1, 2014 on property at 4001 Patch Street along McDill Pond. Licensed operator on the premise: Tina Lechner. (Beer only)

C. "Class A" Liquor License:

- i. Kwik Trip, Inc., for Kwik Trip #342, 3533 Stanley Street, Stevens Point; Michelle Lewis, agent for license period beginning January 21, 2014.
- ii. Kwik Trip, Inc., for Kwik Trip #691, 1600 Maria Drive, Stevens Point; James Lieinlokken, agent for license period beginning January 21, 2014.

D. Pawnbroker / Secondhand Jewelry Dealer Licenses (Renewal):

- i. Grubba Jewelers Inc., 949 Main Street, Stevens Point, WI. Charles and Mark Grubba, owners.
- ii. Lee Ayers Jeweler, 1044 Main Street, Stevens Point, WI. Leon R. Ayers, owner.

Ald. Wiza **moved**, Ald. Suomi seconded, approval of 24 new operator/bartender licenses, temporary Class "B" / "Class B" Retailer's license for St. Casimir Parish, 203 W. Casimir Road, Stevens Point for St. Casimir Winter Dinner Dance, on February 22, 2014 at 1025 Second Street North, Stevens Point with licensed operator of Phillip Janowski and Bill Cook Chapter – IWLA, P O Box 582, Stevens Point for 50th Annual Winter Jamboree on Saturday, February 1, 2014 on property at 4001 Patch Street along McDill Pond with licensed operator on the premise as Tina Lechner, "Class A" liquor license for Kwik Trip, Inc., for Kwik Trip #342, 3533 Stanley Street, Stevens Point; Michelle Lewis, agent for license period beginning January 21, 2014 and Kwik Trip, Inc., for Kwik Trip #691, 1600 Maria Drive, Stevens Point; James Lienlokken, agent for license period beginning January 21, 2014, Pawnbroker / Secondhand Jewelry Dealer Licenses for Grubba

Jewelers Inc., 949 Main Street, Stevens Point, WI, Charles and Mark Grubba, owners and Lee Ayers Jewelers, 1044 Main Street, Stevens Point, W, Leon R. Ayers, owner.

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

2. Ordinance Amendment – Discharging Firearms/Guns/Archery Arrow – Bow Hunting within the City Limits (Creation of Section 24.14(6) of the RMC).

City Attorney Beveridge stated there was a state law change prohibiting municipalities from having a blanket prohibition on bow hunting within the city limits. The attorney reviewed the proposed amendments to the ordinance.

Ald. Wiza **moved**, Ald. R. Stroik seconded, to approve the ordinance with the following amendments to the proposed ordinance so that Section 24.14(6) of the Revised Municipal Code – Discharging a firearm/gun/archery arrow/crossbow bolt is hereby created to read as follows: the provisions in subsection (1) shall not apply to any person discharging an archery arrow/crossbow bolt for the purpose of hunting provided that: (a) the arrow/bolt is discharged toward the ground and (b) the person discharging the arrow/bolt either does so at least 100 yards from all buildings located on land owned by another person, or obtains written permission from such landowners to discharge an arrow/bolt less than 100 yards from any building located on land owned by the person providing such written permission.

Ald. R. Stroik asked if the City Attorney was alright with the changes as proposed.

City Attorney Beveridge replied yes.

Ald. Patton asked what the difference is between the different types of arrows.

Ald. Wiza explained the difference between an archery arrow and crossbow bolt.

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

3. Ordinance Amendment – Cigarettes and Tobacco Products, Minors – Apply ordinance to “nicotine products,” including electronic cigarettes (Section 24.38 of the RMC).

City Attorney Beveridge said our current ordinance only refers to tobacco products which does not include electronic cigarettes.

Ald. Wiza **moved**, Ald. M. Stroik seconded, approval of the ordinance amendments as presented and the creation of Section 24.38(1)(d).

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

4. Monthly Inspection Report.

Director Ostrowski stated this was another decent year for development with nearly \$45 million in new construction.

Ald. R. Stroik moved, Ald. M. Stroik seconded, to accept the report and place it on file.

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

Item #5 - Presentation on the concept of a Municipal Court was moved to the first item of the agenda.

6. Adjournment.

Adjournment at 7:36 p.m.

Joint Municipal Court Presentation

January 13, 2014

Andrew J. Halverson, Mayor
A. Logan Beverage, City Attorney
Kevin K. Ruder, Chief of Police

Available for Questions

Ron Ledford – District Court Administrator

David Grace - Municipal Court Judge

Karen Bertolini – Municipal Court Clerk

Officer Gary Anderson

Village of Plover Administrators and Plover Police
Department

Topics for Discussion

- Municipal Court Impacts
- Municipal Court Budget
- Projected Revenue (City Only)
- Office of the Municipal Clerk and Judge
- Location of the Court
- Next Steps
- Questions

Municipal Court

- Flexibility
 - Hours of court can better accommodate officer schedules thereby saving overtime costs
 - Members of the Community who wish to contest their citation can w/o taking time off from work
 - Court sentencing
 - Types of cases heard
- Positive Community Impact
 - People report feeling they had their “day in court” noting the positive experience
 - Fines are commensurate to the violation
- Forfeiture monies stay within the City
- Personnel Savings
 - Workload reductions for police department and city paralegal

Municipal Judge	\$12,000.00	\$1,000.00/mo
Municipal Clerk	\$40,872.00	Grade I, Step 1
Wisconsin Retirement	\$3,559.00	
Social Security	\$3,815.00	
Life Insurance	\$36.00	
Workers Comp	\$70.00	
Income Continuation	\$96.00	
Medical Insurance	\$21,834.00	
Software	\$4,200.00	
Training and Education	\$1,500.00	
Mileage	\$500.00	
Miscellaneous	\$4,000.00	
TOTAL	\$92,482.00	
TIPSS Program Purchase w/Computer	\$22,000.00	
2012 Caseload Ratio (75/25)	City	Plover
FINAL BUDGET IMPLICATION	\$85,862	\$28,620

Revenue Comparison

	Circuit Court	Municipal Court*	Difference
2012	\$125,760	\$188,492	+ \$62,732
			+ 50%

* The dollar figure subtracts the annual operating costs of the court

Locations of Municipal Court

- Municipal Court Clerk and Judge
 - Located in the former dispatch center
 - Location approved by the District Court Administrator
- Court
 - Lincoln Center

Next Steps

- Ordinance adoption identical to Plover ordinance
- Forming an oversight committee
 - Appointing a Judge
 - Start Date
 - Any other court details



Questions