

*****AMENDED*****
REGULAR COUNCIL MEETING

Council Chambers
County-City Building

April 18, 2011
7:00 P.M.

1. Roll Call.
2. Salute to the Flag and Mayor's opening remarks.
3. Consideration of the minutes of the Common Council meeting on March 21, and the Special Council meeting of April 11, 2011.
4. *Persons who wish to address the Mayor and Council on specific agenda items other than a "Public Hearing" must register their request at this time. Those who wish to address the Common Council during a "Public Hearing" are not required to identify themselves until the "Public Hearing" is declared open by the Mayor.
5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.
6. Consideration and possible action of Resolution - International Migratory Bird Day.
7. Consideration and possible action of Ordinance Amendment – Repealing the Board of Review Extension Ordinance.
8. Consideration of the minutes and actions taken at the Personnel Committee meeting of April 11, 2011.
9. Consideration of the minutes and actions taken at the Public Protection Committee meeting of April 11, 2011.
10. Consideration of the minutes and actions taken at the Finance Committee meeting of April 11, 2011, and the minutes of the Special Finance meeting of March 21, 2011.
11. Consideration of the minutes and actions taken at the Board of Public Works meeting of April 11, 2011.
12. Consideration and possible action on Ordinance – Restriction of Motorized Boats in the "Spring Slough" Area of McDill Pond.
13. Consideration of the actions taken at the Special Board of Public Works meeting of April 18, 2011.

14. Consideration of the minutes and actions taken at the Board of Water & Sewage Commissioners meeting of April 11, 2011.
15. Consideration of the minutes and actions taken at the Police and Fire Commission meetings of April 1, April 5, and April 11, 2011.
16. Consideration of the Statutory Monthly Financial Report of the Comptroller-Treasurer.
- ***17. Adjourn into closed session for the purpose of discussion with City Attorney on pending lawsuit – Burhardt and discussion of possible settlement per 19.85(1)(g) Wis. Stats.
- ***18. Reconvene [Approximately 5 minutes later] into open session to discuss possible settlement of Burhardt lawsuit and possible action on the same.
19. Recognition of and Remarks by Ald. Mallison.
20. Adjournment.

Public Notice is Hereby Given that a quorum of the City of Stevens Point's Common Council may attend the following event:

Mallison Appreciation Party
Monday, April 18, 2011
Immediately following the Council Meeting
at
Pete's Sports Bar and Grill
200 Division Street
Stevens Point

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, TDD #346-1556, 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.

INTERNATIONAL MIGRATORY BIRD DAY

RESOLUTION

WHEREAS, migratory birds are some of the most beautiful and easily observed wildlife that share our communities; and

WHEREAS, many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring; and

WHEREAS, these migrants also play an important economic role in our community, controlling insect pests and generating millions in recreational dollars statewide; and

WHEREAS, migratory birds and their habitats are declining throughout the Americas, facing a growing number of threats on their migration routes and in both their summer and winter homes; and

WHEREAS, public awareness and concern are crucial components of migratory bird conservation; and

WHEREAS, citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining healthy bird populations; and

WHEREAS, since 1993 International Migratory Bird Day has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in our community and throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean, and the southern U.S.; and

WHEREAS, hundreds of thousands of people will observe IMBD, gathering in town squares, community centers, schools, parks and wildlife refuges to learn about birds, take action to conserve them, and simply to have fun; and

WHEREAS, while IMBD officially is held each year on the second Saturday in May, its observance is not limited to a single day, and planners are encouraged to schedule activities on the dates best suited to the presence of both migrants and celebrants; and

WHEREAS, IMBD is not only a day to foster appreciation for wild birds and to celebrate and support migratory bird conservation, but also a call to action; **NOW THEREFORE**

I, Andrew J. Halverson, as Mayor of the City of Stevens Point, Wisconsin, do hereby proclaim May 14, 2011 as

INTERNATIONAL MIGRATORY BIRD DAY

in the City of Stevens Point, and I urge all citizens to celebrate this observance and to support efforts to protect and conserve migratory birds and their habitats in our community and the world at large.

APPROVED: _____
Andrew J. Halverson, Mayor

ATTEST: _____
John Moe, City Clerk

Dated: April 13, 2011
Adopted: April 18, 2011

ORDINANCE
Amending the Revised Municipal Code
of the City of Stevens Point, Wisconsin
Repealing the Board of Review Hearing Extension Ordinance

The Common Council for the City of Stevens Point, Portage County, Wisconsin does ordain as follows:

Section 1. That subparagraph 5 of Section 3.48 of the Revised Municipal Code is hereby repealed.

Section 2. This ordinance shall take effect upon passage and publication according to law.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John V. Moe, Clerk

Dated: _____
Passed: _____
Published: _____

Wisconsin Supreme Court Decision in *Metropolitan Associates v. City of Milwaukee*, 2011 WI 20 on March 25, 2011.

ORDINANCE
Amending the Revised Municipal Code
of the City of Stevens Point, Wisconsin
Creating a Non-Motorized Boat Area on McDill Pond
Located with the City of Stevens Point and the Village of Whiting

The Common Council for the City of Stevens Point, Portage County, Wisconsin does ordain as follows:

Section 1. No person may operate, occupy or use any motorized boat as defined in Wis. Stats. Sec. 30.50(6) except electric trolling motors in any area designated the spring slough on the McDill Pond located in the City of Stevens Point and the Village of Whiting. The spring slough is adjacent to the McDill Pond and is located within a boundary described as follows:

The South one-half (S½) of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW¼), and the North one-half (N½) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) located in Section 3, Township 23 North of Range 8 East in the City of Stevens Point, Portage County, Wisconsin. (See attached Map).

Section 2. Penalties. A) Any person who violates any provision of Section 1 above shall forfeit not less than Ten Dollars (\$10.00) nor more than Seventy-Five Dollars (\$75.00) for the first offense and shall forfeit not less than One Hundred Dollars (\$100.00) upon a conviction of a second or subsequent offense. B) In addition to the forfeitures specified under Section 2(A), the Court may order the defendant to perform or refrain from performing such acts as may be necessary to fully protect and effectuate the public interest in the spring slough. The Court may further order an abatement of a nuisance, restoration of a natural resource or other appropriate action designed to eliminate or minimize any environmental damage caused by the defendant.

Section 3. This ordinance shall take effect upon passage and publication according to law and the adoption of such ordinance by the Village of Whiting.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John V. Moe, Clerk

Dated: _____
Passed: _____
Published: _____

Note: The proposed ordinance has already been submitted by the City of Stevens Point and the Public Inland Lake District to the Department of Natural Resources at least sixty (60) days prior to the final action thereon by the City of Stevens Point.

COMPTROLLER-TREASURER REPORT
for the period ending February 28, 2011

	Bal Feb. 1, 2011	Receipts	Disbursements	Bal Feb.28, 2011
GENERAL OPERATING CASH	\$7,588,839.92	\$3,517,693.38	\$10,822,658.60	\$283,874.70
WATER & SEWER (CASH & INVEST)	\$5,499,200.67	\$875,511.62	\$831,918.00	\$5,542,794.29

INVESTMENTS	Bal. Feb. 1, 2011	TRANSFER IN	TRANSFER OUT	Bal. Feb 28, 2011
GENERAL	\$18,709,647.78	\$0.00	\$0.00	\$18,709,647.78
SPECIAL REVENUE	\$766,768.97	\$0.00	\$0.00	\$766,768.97
DEBT SERVICE	\$1,376,260.68	\$0.00	\$0.00	\$1,376,260.68
CAPITAL PROJECTS	\$8,566,546.11	\$140.58	\$9,500.00	\$8,557,186.69
ENTERPRISE	\$1,388,274.83	\$0.00	\$0.00	\$1,388,274.83
TRUST	\$89,443.48	<u>\$0.00</u>	<u>\$0.00</u>	\$89,443.48
TOTALS	<u>\$30,896,941.85</u>	<u>\$140.58</u>	<u>\$9,500.00</u>	<u>\$30,887,582.43</u>

EXPENDITURES:	BUDGET	YTD	%	REVENUES	BUDGET	YTD	%
GENERAL GOVT	\$2,795,755.00	\$295,144.16	10.56%	GENERAL	\$23,328,783.00	\$11,597,343.77	49.71%
POLICE DEPT	\$6,087,247.00	\$880,541.16	14.47%	TRANSIT	\$1,381,125.00	\$318,849.41	23.09%
FIRE DEPT	\$5,210,973.00	\$804,253.44	15.43%	AIRPORT	\$366,600.00	\$236,700.42	64.57%
PUBLIC WORKS	\$6,266,521.00	\$814,807.48	13.00%				
PARK & REC	\$2,462,982.00	\$243,327.21	9.88%				
CAPITOL PROJ	\$505,305.00	\$6,262.37	1.24%				
TRANSIT	\$1,689,926.00	\$237,560.84	14.06%				
DEBT SERVICE	\$3,834,615.00	\$499,476.22	13.03%				
AIRPORT	\$565,668.00	\$78,373.56	13.86%				

