

PUBLIC PROTECTION COMMITTEE AGENDA
Monday, October 10, 2011 – 6:45 P.M.
(or immediately following previously scheduled meeting)
Lincoln Center – 1519 Water Street

[A quorum of the City Council may attend this meeting]

Discussion and Possible Action on the Following:

1. Recommendations on the License List:
 - A. New Operator's (Bartender's) Licenses.
 - B. Special Class "B" / "Class B" Retailer's License for St. Peter's Catholic Church Fundraising Committee, 800 Fourth Avenue, Stevens Point for an Evening with Father Joseph: A Taste of India on Saturday, November 5, 2011 at St. Peter's Church – Kolbe Hall.
2. Request to Hold Event / Street Closings: Stevens Point Area YMCA, Annual Frostbite Road Race and Winter Walk on December 3, 2011. Request for Partial or Complete Closure of Portions of Fourth Avenue and Second Street. During the Beginning of the Race.
3. Creation of Ordinance Relating to Concealed Guns in City Owned Buildings (Sec. 8.20 of the RMC).
4. Creation of Ch. 32 -Well Abandonment and Well Operation Permits and Amending Ch.18 – Plumbing Code of the RMC.
5. Request to Raise Chickens – 3263 Welsby Avenue.
6. Monthly Inspection Report.
7. Adjournment.

RMC – Revised Municipal Code

Any person who has special needs while attending this meeting or needs agenda materials for this meeting should contact the City Clerk as soon as possible to ensure reasonable accommodations 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 normal business hours from 7:30 A.M. to 4:00 P.M.

LICENSE LIST
PUBLIC PROTECTION COMMITTEE
OCTOBER 10, 2011

NEW OPERATOR (PROVISIONAL LICENSE ISSUED): 1 YEAR**

- 1) Michels, Tyler J. N4907 Hwy V, Fond Du Lac, WI 54937
- 2) Brady-Plahs, Carmella B. 7348 Zurawski Lane, Custer, WI 54423
- 3) Kayon, Melissa B. 11059 Cty Rd B, Scandinavia, WI 54977
- 4) Schoone, Victoria I. 3909 Doolittle Drive Apt 6, Stevens Point, WI 54481
- 5) Kara, Robert C. 805 Prentice Street Apt 107, Stevens Point, WI 54481
- 6) Otto, Myriah L. 1234A North Point Drive, Stevens Point, WI 54481
- 7) McDonald, Danielle A. 2509 Simonis Street, Stevens Point, WI 54481
- 8) Huana, Tianni 1254A North Point Drive, Stevens Point, WI 54481
- 9) Christel, Dana M. 1117 Fremont Street, Stevens Point, WI 54481
- 10) Carey, Heather L. 201 Reserve Street, Stevens Point, WI 54481
- 11) Oetzel, Matthew A. 3630 Page Drive, Plover, WI 54467
- 12) Schaaf, Sarah A. 2106 Locust Street, Stevens Point, WI 54481
- 13) O'Brien, Elizabeth M. 1417 Briggs Street, Stevens Point, WI 54481
- 14) Kemnitz, Samantha M. 1564 W. River Drive, Stevens Point, WI 54481
- 15) Eigen, Bridgida A. 2221 Sims Avenue, Stevens Point, WI 54481
- 16) Barnhill, Jessica L. 2257 Clark Street Apt A, Stevens Point, WI 54481
- 17) Elgan, Meghan L. 1120 Sunset Blvd Apt 8, Stevens Point, WI 54481
- 18) Edwards, Morgan R. 2201 Main Street Apt 1, Stevens Point, WI 54481
- 19) Ratzloff, Kyah J. 1270 North Point Drive Apt C, Stevens Point, WI 54481
- 20) Rabe, Caleb J. 2344 Sims Avenue, Stevens Point, WI 54481
- 21) Bergman, Michael L. 4410 Michael Court, Plover, WI 54467
- 22) Ramker, Cheri R. 3100 Wisconsin Avenue, Plover, WI 54467
- 23) Kaepfel, Anna K. 4721 Springwood, Wisconsin Rapids, WI 54494
- 24) Armstrong, Justin R. 2516 Fifth Avenue Apt 8, Stevens Point, WI 54481
- 25) Ziemer, Ernest A. 2640 Bush Court Apt 12, Stevens Point, WI 54481
- 26) Scott, Brianna E. 1516 Franklin Street Apt 12, Stevens Point, WI 54481
- 27) Schmidt, Cora J. 1717 Maria Drive Apt 203, Stevens Point, WI 54481
- 28) Lane, Jack T. 3321 Patti Drive, Plover, WI 54467
- 29) Cherney, Joseph M. 2790 County Road HH, Junction City, WI 54443
- 30) Sommers, Brian A. 833 Clark Street #F, Stevens Point, WI 54481
- 31) Mathison, Derek W. 3100 Rice Street Apt C, Stevens Point, WI 54481
- 32) Gunderson, Sara E. 5557 Oakwood Avenue, Stevens Point, WI 54482
- 33) Kubisiak, Rebecca J. 340 Wadleigh Street, Stevens Point, WI 54481
- 34) Gentiline, Gina M. 3561 Patti Drive Apt 4, Plover, WI 54467
- 35) Dicka, Doug C. 1717 Maria Drive, Stevens Point, WI 54481
- 36) Oftedahl, Whitney G. E740 Erickson Rd, Iola, WI 54945
- 37) Gilbert, Daniel D. 900 Shaurette Street, Stevens Point, WI 54481

SPECIAL CLASS "B" / "CLASS B" RETAILER'S LICENSE:

St. Peter's Catholic Church Fundraising Committee, 800 Fourth Avenue, Stevens Point for an Evening with Father Joseph: A Taste of India on Saturday, November 5, 2011 at St. Peter's Church – Kolbe Hall.

****ISSUANCE OF ANY LICENSE IS CONTINGENT UPON APPLICANTS COMPLIANCE WITH THE TRAINING REQUIREMENTS OF SEC. 125.17(16), WISCONSIN STATUTES.****

YMCA Frostbite Road Race and Winter Walk- Presented by Community First Bank

September 12, 2011

TO: Mr. John Moe, Clerk
City of Stevens Point
1515 Strongs Ave.
Stevens Point, WI 54481

RECEIVED

SEP 12 2011

CITY CLERKS
OFFICE

Public Protection Committee
Stevens Point City Council

RE: Request to produce the Stevens Point Area YMCA Frostbite Road Race and Winter Walk- Presented by Community First Bank on December 3, 2011.

Our race is presented by the Stevens Point Area YMCA. It is staged from the Stevens Point Area YMCA and includes: Prentice, 4th, 2nd, Bukolt, Front, Northpoint, Old Wausau, Casimir, and Franklin Streets (maps attached). We have been producing the race successfully and safely for 35 years. The route is the same as it was the last two years. There will be congestion on city roads during the first part of the race. For the safety of the participants, I feel partial or complete shut down of 4th and 2nd streets during the first 20 minutes of the race should be considered. Traffic control and aid is provided by volunteers from the Stevens Point Area YMCA elsewhere along the course.

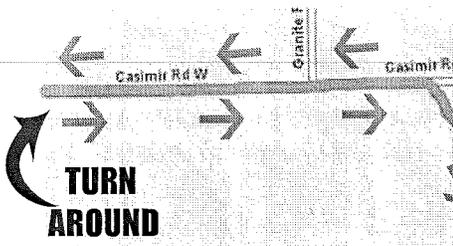
Registration and set-up will begin Friday afternoon, December 2nd. The event is expected to conclude by 4pm on December 3rd. Racers will actually be on the described courses on Saturday from noon to 4:00pm. Approximately 500 participants are expected.

Thank you for your time and consideration. Please don't hesitate to contact me with any questions.

Sincerely,

Brandy Proctor
Health and Fitness Director
Stevens Point Area YMCA
715-342-2980 ext 306

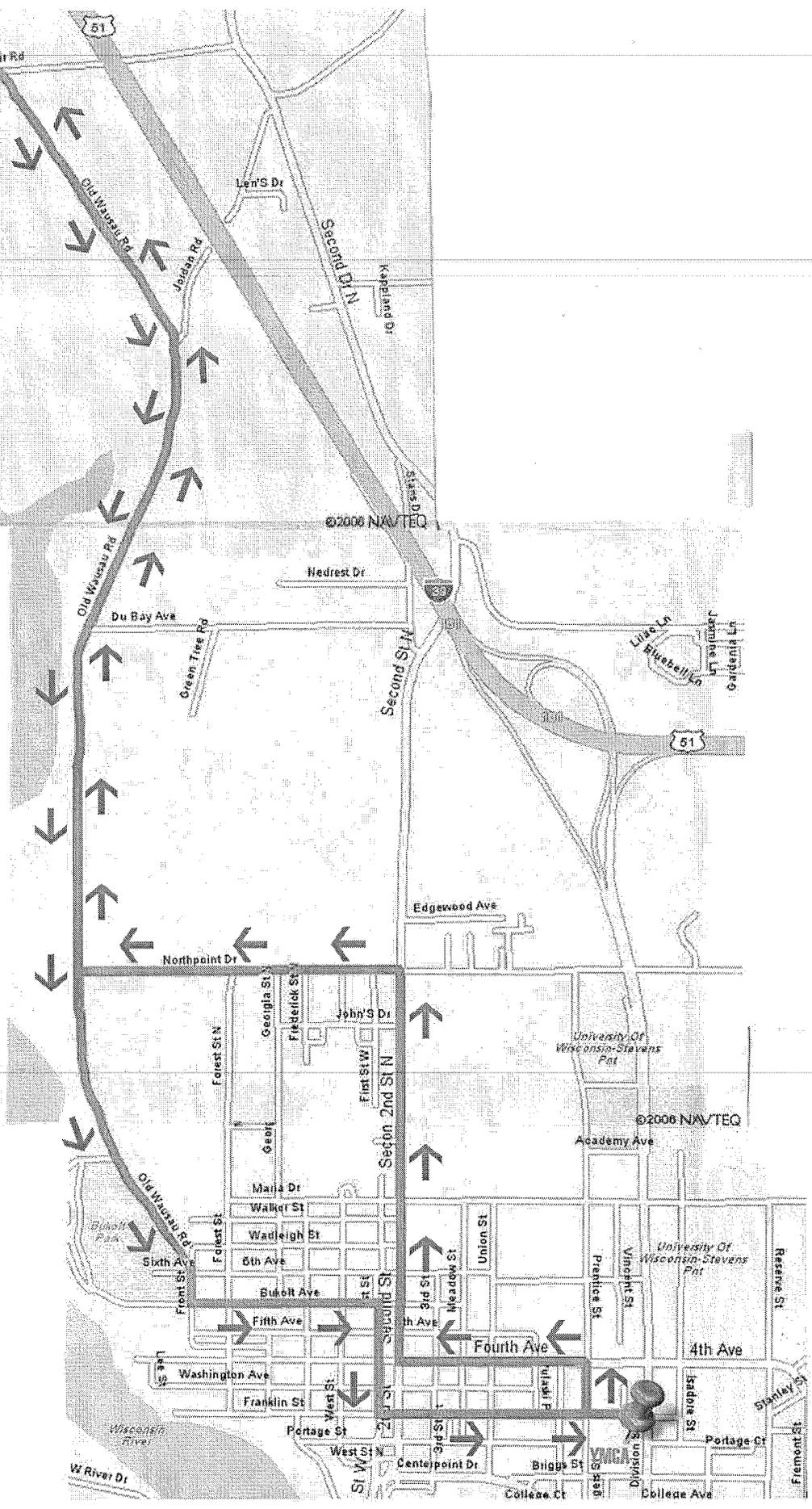
Also attached: 5 and 10 mile course maps



200 m
1000 ft



10 mile course



ORDINANCE
Revised Municipal Code
of the City of Stevens Point, Wisconsin

Prohibition of Entry or Presence in Public Buildings while Carrying Firearms

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

Section 1. Section 8.20 of the Revised Municipal Code of the City of Stevens Point is hereby created to read as follows:

8.20 FIREARMS IN PUBLIC BUILDINGS.

(1) Pursuant to Wis. Stats. Sec. 943.13(1m)(c)4, no person shall enter or remain in any part of a building owned, occupied or controlled by the State or local governmental unit if the State or local governmental unit has notified the person not to enter or remain in the building while carrying a firearm or a specific type of firearm.

(2) The Comptroller-Treasurer shall cause signs to be erected at all entrances to all buildings owned, occupied or under the control of the City of Stevens Point providing notice that no person is to enter or remain in any such building while carrying a firearm. Such signs shall be five inches by seven inches or larger.

(3) Nothing in this subsection shall be construed to apply to prohibit a peace officer or armed forces or military personnel armed in the line of duty or any person duly authorized by the Chief of Police to possess a firearm in any public building or a person who leases residential or business premises therein. Notwithstanding Wis. Stats. Sec. 939.22(22), for purposes of this paragraph, peace officer does not include a commission warden who is not a State certified commission warden.

(4) Nothing in this subsection shall be construed to authorize the carrying of any firearm or dangerous weapon contrary to Wis. Stats. Secs. 941.23 or 941.235.

(5) Any person found in violation of this ordinance shall suffer a forfeiture of One Hundred Dollars (\$100.00), together with the costs of prosecution thereof.

Section 2. This ordinance shall take effect as of November 1, 2011 upon passage and publication according to law.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John V. Moe, Clerk

Dated _____

Passed _____

Published _____

**ORDINANCE CREATING CHAPTER 32: WELL ABANDONMENT AND WELL OPERATION PERMIT OF THE
REVISED MUNICIPAL CODE OF THE CITY OF STEVENS POINT, WISCONSIN**

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

SECTION I: That subsections 4, 5, 6, 7, 8, 9, and 10 of Section 18.02 and Section 18.12 of the Revised Municipal Code of the City of Stevens Point are hereby repealed.

SECTION II: That Section 18.13 of the Revised Municipal Code of the City of Stevens Point is hereby renumbered to Section 18.12.

SECTION III: That Chapter 32 of the Revised Municipal Code of the City of Stevens Point relating to well abandonment and well operation permits is hereby created and is to read as follows:

Part 1. Introduction

Division 1.01 Authority

This Ordinance is adopted under the authority granted to the City by Section NR 810.16 Wisconsin Administrative Code.

Division 1.02 Title

Chapter 32 of the Revised Municipal Code of the City of Stevens Point shall be known as the Well Abandonment and Well Operation Permit Ordinance of the City of Stevens Point, Wisconsin.

Division 1.03 Scope

The provisions of this Ordinance shall govern the procedures for well abandonment and well operation within the City of Stevens Point.

Division 1.04 Purpose and Intent

To protect public health, safety and welfare and to prevent contamination of groundwater by assuring that unused, unsafe or noncomplying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross-connected to the municipal water system, are properly maintained or abandoned.

Division 1.05 Applicability

This Ordinance applies to all wells located on premises served by the Stevens Point municipal water system. Utility customers outside the jurisdiction of the municipal system may be required under contract agreement or utility rule to adopt and enforce equivalent ordinances within their jurisdictions for purpose stated in Division 1.04 of this Ordinance.

Division 1.06 Conflict

In the event of conflict between the provisions of this Ordinance and any other applicable or adopted municipal, State, or federal code, or any other general law or statute, the most stringent provision shall prevail over the more lenient, and the specific provision shall prevail over the general.

If any part of this Ordinance is explicitly prohibited by federal or State statute, that part shall not be enforced.

Division 1.07 Severability

Should any part, division, section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Division 1.08 Repeal

That all other ordinances or parts of ordinances of the City of Stevens Point inconsistent or conflicting with this Ordinance (Well Abandonment and Well Operation Permit Ordinance), to the extent of the inconsistency only, are hereby repealed.

Part 2. Abandonment Required

All wells on premises served by the municipal water system shall be properly abandoned in accordance with Part 4 of this Ordinance within one (1) year from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by the City of Stevens Point under terms of Part 3 of this Ordinance.

Part 3. Well Operation Permit

Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application for a well operation permit for each well no later than one (1) year after connection to the municipal water system. The City of Stevens Point shall grant a permit to a well owner to operate a well for a period not to exceed five (5) years providing all conditions of this Ordinance are met. A well operation permit may be renewed by submitting an application verifying that the conditions of this Ordinance are met. The City of Stevens Point or its agent, may conduct inspections and water quality tests, or require inspections and water quality tests to be conducted by the applicant, at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the City of Stevens Point. All applications shall be accompanied with a fee of \$5.00, or the appropriate fee as indicated in the most recently approved Department of Community Development Fee Schedule, whichever is greater.

The following conditions must be met for issuance or renewal of a well operation permit:

- 1) The well and pump installation shall meet the Standards for Existing Installations described in Section NR 812.42, Wisconsin Administrative Code. The well and pump system shall be evaluated by a licensed well driller or pump installer and certified on the Wisconsin Well and Pressure System Inspection Form 3300-221 to comply with Chapter NR 812 Subchapter IV, prior to issuing the initial permit and no less than every 10 years afterwards.

- 2) The well and pump shall have a history of producing safe water evidenced by at least one (1) coliform bacteria sample. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.
- 3) There shall be no cross-connections between the well's pump installation or distribution piping and the municipal water system.
- 4) The water from the private well shall not discharge into the public sanitary sewer.
- 5) The private well shall have a functional pumping system.
- 6) The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system.

Part 4. Abandonment Procedures

- 1) All wells abandoned under the jurisdiction of this Ordinance shall be done according to the procedures and methods of Section NR 812.26, Wisconsin Administrative Code. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
- 2) The owner of the well, or the owner's agent, shall be required to obtain a well abandonment permit prior to any well abandonment and shall notify the Plumbing Inspector at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by personnel of the municipal system.
- 3) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted to the Plumbing Inspector and the Department of Natural Resources within 30 days of the completion of the well abandonment. The form must be completed by the licensed well driller, pump installer, or certified operator performing the abandonment.

Part 5. Penalties for Violations

Division 5.01 Penalties

Any well owner violating any provision of this Ordinance shall upon conviction be punished by forfeiture of not more than \$500.00 and the cost of prosecution. Each day that a violation exists shall constitute a separate offense. If any person fails to comply with this Ordinance for more than 30 days after receiving written notice of the violation, the municipality may impose a penalty and cause the well abandonment to be performed and the expense shall be assessed as a special charge levied against the property under Section 66.0627, Wisconsin Statutes, as amended.

Division 5.02 Service Charge

A service charge in the amount of \$20.00, or the appropriate charge as indicated in the most recently approved Department of Community Development Fee Schedule, whichever is greater, shall be levied against the property owner for the inspection and preparation of any notice and order for correcting violations. In the event corrective action is not taken within the reasonable time for compliance, any

subsequent notice or order given to a property for successive violations of any provision of this Ordinance shall have a service charge levied against the property owner in the amount of \$50.00, or the appropriate charge as indicated in the most recently approved Department of Community Development Fee Schedule, whichever is greater. In the event the property owner fails to pay this service charge within 30 days, the fee shall be assessed as a special charge levied against the property under Section 66.0627 of Wisconsin Statutes, as amended.

Part 6. Definitions

Division 6.01 Purpose

It is the purpose of this division to define words, terms, and phrases contained within this Ordinance.

Division 6.02 Word Usage

In the interpretation of this Ordinance, the provisions and rules of this Part shall be observed and applied, except when the context clearly requires otherwise:

- 1) Words used or defined in one tense or form shall include other tenses and derivative forms.
- 2) Words in the singular number shall include the plural number, and words in the plural number shall include the singular number.
- 3) The masculine gender shall include the feminine, and the feminine shall include the masculine.
- 4) The word "shall" is mandatory.
- 5) The word "may" is permissive.
- 6) The word "person" includes individuals, firms, corporations, associations, trusts, and any other similar entities.
- 7) Whenever a word or term defined hereinafter appears in the text of this Ordinance, its meaning shall be construed as set forth in the definition thereof.
- 8) Any words not defined in this part shall be presumed to have their customary dictionary definitions.
- 9) In case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, or table, the text shall control.
- 10) The words "this Ordinance" shall mean this Well Abandonment and Well Operation Permit Ordinance of the City of Stevens Point, Portage County, Wisconsin.

Division 6.03 Abbreviations

- *Reserved for future use.*

Division 6.04 Definitions

When used in this Ordinance, the following terms shall have the meanings herein ascribed to them:

- **“Department of Natural Resources”** means the Wisconsin Department of Natural Resources.
- **“Municipal water system”** means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.
- **“Noncomplying”** means a well or pump installation which does not comply with Section NR 812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to Section NR 812.43, Wisconsin Administrative Code.
- **“Plumbing Inspector”** means the City of Stevens Point Plumbing Inspector, or designee.
- **“Pump installation”** means the pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
- **“Unsafe”** well or pump installation means one which produces water which is bacteriologically contaminated or contaminated with substances which exceed the drinking water standards of chapters NR 140 or 809, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
- **“Unused”** well or pump installation means one which is not used or does not have a functional pumping system.
- **“Well”** means a drillhole or other excavation or opening deeper than it is wide that extends more than 10 feet below the ground surface constructed for the purpose of obtaining groundwater.
- **“Well abandonment”** means the proper filling and sealing of a well according to the provisions of Section NR 812.26, Wisconsin Administrative Code.

SECTION IV: This Ordinance shall take effect upon passage and publication.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: October 10, 2011
Adopted: October 17, 2011
Published: October __, 2011

September 14, 2011

3263 Welsby Ave.
Stevens Point, WI 54481

RECEIVED

SEP 19 2011

John Moe
City Clerk
1515 Strongs Avenue
Stevens Point, WI 54481

CITY CLERKS
OFFICE

RE: Raising chickens

Dear Mr. Moe,

We, Nyiaj Thong Vang and Leigh Vang, the residents at 3263 Welsby Ave would like to raise approximately 6-10 chickens in our back yard during the summer time. Our back yard is all fenced and the chickens will be kept in a secured area inside the back yard. We also will not raise any roosters.

We went to our neighbors and explained to them that we'll be raising chickens in our back yard and they said ok. If you have any questions, please contact us at (715) 344-4501 Home or (715) 570-6693 Cell.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leigh Vang".

Nyiaj Thong Vang and Leigh Vang

Community Development Report - September 2011

Construction Report

New Construction	Owner/Location	Declared Valuation	Fees
Single Family	Delores McKay 4801 Beaver Dam Rd.	\$213,000.00	\$750.00
Commercial Addition	H & K Tool and Die 5217 Coye Dr.	\$101,600.00	\$994.00

Remodeling/ Additions	# of Permits	Declared Valuation	Fees
Residential	57	\$411,972.69	\$3,053.33
Commercial	10	\$43,181.00	\$497.42

YTD Valuation	YTD Fees
\$17,318,432.65	\$57,556.66

2010:	\$15,624,642.00	\$76,817.00
2009:	\$22,292,278.00	\$108,243.00
2008:	\$24,075,715.00	\$80,975.00

Violation Report

Exterior Property Area Complaints

*Multiple Exterior Property Violations	2
*Other Exterior Property Violations	3
Accumulation of Rubbish or Garbage	2
Grass or Weeds	3
Improper Parking of Vehicles	10
Improper Storage of Refuse or Refuse Carts	7
Refuse or Refuse Carts on Curb	27
Storage of Household Items Outside	12
Unlicensed or Inoperable Vehicles	2
Unsanitary Conditions	0

Exterior Structure Complaints

*Multiple Exterior Structure Violations	0
*Other Exterior Structure Violations	2
Broken or Missing Windows	1
Defective Protective Treatment	7
Missing or Defective Handrails/Guards	1

Interior Structure Complaints

*Multiple Interior Structure Violations	0
*Other Interior Structure Violations	0

Multiple Violations

*Multiple Property Violations	16
-------------------------------	----

Other Violations

*Other Property Violations	2
Improper Occupancy: Multi-Family Dwelling	0
Improper Occupancy: Residential Dwelling	0
Noise	21
Unlicensed Well	0
Work Without Permit	1

Total Violations / Total Service Fees Billed	119 / \$5,480.00
---	-------------------------

