

**City of Stevens Point
REGULAR COUNCIL MEETING**

**Council Chambers
County-City Building**

**August 20, 2012
7:00 P.M.**

Mayor Andrew J. Halverson, presiding

Roll Call: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.

Also

Present: City Atty. Molepske; Clerk Moe; C/T Schlice; Directors Schrader, Ostrowski, Lemke, Schatschneider; Deputy Police Chief Skibba; Emergency Mgt. Director McGinty; Asst. to the Mayor Pazdernik; B.C. Kowalski-Stevens Point Journal; Matt Brown-Portage Co. Gazette; Brandi Makuski-Stevens Point City Times

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

Mayor Halverson said Michigan Avenue will be open prior to the opening of the school year. He said the demolition company has mobilized at the mall site, they will start this week. He said the CDA will be awarding the Third Street bid Tuesday. He said he would be sending Council President Randal Stroik to the Sister City Rostov Velicky, Russia to join them in celebrating their 1,150 year anniversary.

3. Consideration and possible action of the minutes of the Common Council meeting of July 16, 2012 and the Special Common Council meetings of July 16, and August 7, 2012.

Ald. Patton **moved**, Ald. O'Meara seconded, to approve the minutes of the Common Council meeting of July 16, 2012 and the Special Common Council meetings of July 16 and August 7, 2012.

Call for the Vote: Ayes: All.

Nays: None. Motion carried

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.

Bob Woehr, 727 Second Street, asked the Council members to allow people to sit in front of the chamber bar.

Ald. Trzebiatowski asked the Mayor if there is an ordinance to keep people behind the chamber bar.

Mayor said yes, it is not up to the discretion of the chair.

Ald. Trzebiatowski said Upward Bound received \$414,000 for the upcoming 2012-2013 school year for first generation high school students to support higher education goals.

Mayor Halverson said it was good news and was happy to hear the program would stay in existence.

Consideration and Possible Action on the Following:

6. Motion to reconsider the request to Amend Conditional Use Permit – 940 Maria Dr – to remove landscaping for the parking lot screening and possible action thereafter.

Mayor Halverson said the request to reconsider the request to Amend the Conditional Use came from Ald. Suomi.

Ald. Suomi said after visiting the site and talking with the owner she wanted to approve the resolution.

Mayor Halverson explained that the motion to reconsider the request to Amend Conditional Use Permit must come first. He then said that if the motion for reconsideration is approved, handouts with original data and the original ordinance amendment would be distributed.

Ald. Suomi **moved**, Ald. Wiza seconded, to reconsider the request to Amend Conditional Use Permit – 940 Maria Dr – to remove landscaping for the parking lot screening.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion carried.

Reid Rochelau, 408 Cedar West, said he opposes the reconsideration based on Roberts Rules of Order.

Berry Piotrowski, 251 DuBay Avenue, said he owns the property on 940 Maria. He apologized for missing the Council meeting last month. He said he was under the impression the fence was the parking lot screening. This is his first building project and he was not aware of the requirement to add shrubbery around the fence. He said he had Shulfer advise him on the screening. He said Shulfer assured him that he was up to code on everything. He said he doesn't want to put landscaping in the proposed proximity to the fence due to safety and snow plowing issues. He said he has future plans to continue to add landscaping and additional lighting. He said the pond is quite shallow and invited the Council members to come and inspect it. He asked the Council to support his building project.

Bob Woehr, 727 Second Street, raised concern that the Council should not allow variances of the Parking Lot Ordinances unless a person experiences unavoidable hardships. He said if variances are approved they should be done prior to construction not after. He urged the Council to enforce the Ordinance.

Mayor Halverson said the solid vinyl fence was an added requirement that the Plan Commission placed on this particular project specifically addressing the concern of adjacent homeowners.

Director Michael Ostrowski read from the Parking Lot Ordinance 23.01(14)(f) which states, under subsection Continuous Screening Specifications, "Screening shall consist of natural plant material and/or decorative wall or durable landscape barrier." He said this is before the Council because amendments were made to the original Conditional Use Permit. The property owner meets the requirements of the original Parking Lot Ordinance.

Ald. O'Meara said initially he objected to a change to the Conditional Use Permit, but now he supports Piotrowski's request. He asked if the landscaping requirement applied specifically to the fence.

Mayor Halverson said yes.

Ald. Moore **moved**, Ald. Patton seconded to approve the amendment to the Conditional Use Permit – 940 Maria Dr. allowing the landscaping requirement to be dropped.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion carried.

7. Minutes and actions of the Plan Commission meeting of August 7, 2012.

Ald. Moore **moved**, Ald. Phillips seconded, to approve minutes and actions of

the Plan Commission meeting of August 7, 2012.

Call for the Vote: Ayes: All.
Nays: None. Motion carried

8. Ordinance - Annexation of Northeast Quadrant of the Intersection of Badger Avenue and Highway 10 East.

Mayor Halverson declared the public hearing open.

The following people registered for Agenda Item 8 in opposition but did not wish to speak:

Meryl Lee Nelson, 5732 Algoma Street; Stewart Nelson, 5732 Algoma Street; Mary Kneebone, 5718 Sandpiper Avenue; Duane E. Sherman, P.O. Box 81, Plover; Mary McComb, 2100 Elk Street; JoAnn Tucker, 5675 Regent Street, Town of Hull; Ronald Tucker, 5675 Regent Street, Town of Hull; Gene Hahn, 5943 Algoma Street; Joan Enright, 5753 Algoma Street, Town of Hull; Dennis L. Gagas, 5585 Algoma Street; Nancy Beggs Willoughby, 3338 Feltz Avenue; Ann Leahy, 5970 Westminster Court; Elaine Wrone, 1518 Blackberry Lane; David and Ann Garber, 5893 Clark Street; Sue Kubley, 5754 Algoma Street; Michael Kubley, 5754 Algoma Street; Nicholas Kubley, 5754 Algoma Street; Mary S. Hackett, 5954 Melrose Court; Mary Ann Nigbor, 5917 Clark Street.

John Holdridge, 710 Hofmeister Drive, said the City of Stevens Point and Hull need more communication particularly on planning. He raised concerns about urban sprawl and the risk to the quality of water.

Bob Enright, 5753 Algoma Street, opposed the annexation. He said that for the past twenty years the two communities worked cooperatively on comprehensive planning to meet the goals of sustainable developments that were also aesthetically pleasing. He said the citizens of Hull have no idea except through rumor, what is planned for the land. He asked the Council to work with the township as was done with the Parkdale development.

Don Butkowski, 1845 Edgewood Lane, said he is not opposed to economic growth and supports comprehensive planning. He raised concerns regarding the Plan Commission's lack of expert analysis of the water supply in the area. He asked that the Council consider inviting a water quality specialist to study the area before making a decision. He recommended George Kraft from University of Wisconsin Stevens Point and Ray Schmidt from Portage County Planning & Zoning Department. He asked for this agenda item to be tabled and brought back with the additional information from the water quality specialist. He is opposed to the annexation proposal at this time.

Mary Glinksi, 1740 Clark Street, said she opposed the annexation. She asked the Council to utilize the vacant lots and buildings first before developing any new areas.

Thomas Haulfmann 5316 Carols Lane, said this is sensitive land and requires more study regarding the ground water. He said the ground water already hold contaminants that are of concern. He is opposed to the annexation.

John Rechner, 5847 Clark Street, is opposed to the annexation. He said there is a lack of transparency regarding the development. He said he does support urban growth to expand the tax base but would like the city to utilize the vacant lots and buildings throughout the city

Maris Rushevics, 1811 Blueberry Lane, said he was retained by the Town of Hull. He said the Town of Hull asked him to analyze the intergovernmental agreement. He pointed out that the 1998 Intergovernmental Agreement states that part of the agreement requires cooperative interaction between the two municipalities regarding annexations.

LaVerne Syens, 5220 Carols Lane, urged the Council to deny this request. He said there is not enough transparency. He raised concerns about ground water quality and the regulations regarding the oversight of ground water quality. He opposes the annexation.

Dave Wrone, 1518 Blackberry Lane, opposes the annexation. He said it would not hurt the city to consider treating this land in the same manner as other city leaders have done in the past.

Bob Woehr, 727 Second Street, said he supports the annexation but is concerned about the zoning.

Terry Hackett, 5959 Melrose Court, said he is opposed to the annexation. He said he sees the neighboring communities as a whole. He said there is a lack of planning. He said the Town of Hull relies on the Wellhead Ordinances that are in place.

Jenny Burton, 5718 Sandpiper Drive, said she opposes the annexation. She is against it because of the wildlife and natural area. She said it is one of the reasons why she moved here from Dallas, TX.

Cathy Dugan, 615 Sommers Street, said she opposes the annexation. She said the city should utilize the vacant lots in the Parkdale development first. She said even Stevens Point's citizens do not want urban sprawl. She asked the Council to take more time to consider the annexation.

David Pederson, 668 Granite Ridge Road, asked the Council for more comprehensive planning and transparency. He urged the Council to use the vacant buildings and lots first before starting new development. He opposes the annexation.

Kevin Zuiawski, 1699 Lark Court, opposes the annexation. He said the city should utilize the vacant buildings and lots and develop the downtown area before expanding to the East.

Mayor Halverson said the Council has received a copy of the Intergovernmental Agreement between the City of Stevens Point and the Town of Hull from 1998. He said the agreement does several things: 1. It created a site plan that laid out the boundaries for annexation that would be supported officially by the Town of Hull. He said the Town of Hull board is not supporting the agreement. He referred to the site map pointing out the language which states a consistency plan that also includes the master plan. He said within the agreement B-5 Commercial Zoning is the eventual plan for that area. He said the City of Stevens Point has complied with the requirements in the agreement. He said citizens of the Town of Hull have alleged the City has not complied with the agreements, particularly towards the concern of the wetlands in the area. He said according to the site map eleven to twelve acres of the eighteen acres is not wetland. He said proposal is contiguous, it is in the public interest, it is specifically highlighted in our comprehensive plan, and is and will be mutually exclusive to the master plans and the comprehensive plans to the Township of Hull and the Township of Stockton. He pointed out successful intergovernmental agreements in terms of growth such as the one with Plover and the project involving Hwy. HH as well as the success of providing utilities.

Ald. Trzebiatowski said with this annexation there is property to the North and to the East in the Northeast quadrant. He asked who owns that property.

Mayor Halverson said the City of Stevens Point.

Ald. Trzebiatowski asked if we are residing in the Town of Hull but is it Stevens Point property.

Mayor Halverson said yes.

Ald. Trzebiatowski said it would make sense to annex the proposed property since we have land boundaries outside of the proposed annexation.

Mayor Halverson agreed.

Ald. Trzebiatowski said members of the Council received information from Chairperson Holdridge regarding water studies revealing a lot of the water problems the Town of Hull have stem from the use of fertilizers and herbicides.

He said a lot of their problems are due to agriculture related issues. He suggested the city make its water available to them.

Ald. Trzebiatowski **moved**, Ald. Slowinski seconded, to approve the Ordinance - Annexation of Northeast Quadrant of the Intersection of Badger Avenue and Highway 10 East.

Ald. Wiza asked the City Attorney under what circumstances can the city petition for annexation.

City Attorney Molepske said the rule of reason applies to all annexations. According to statutes the city can pursue to annex land anytime it wishes.

Ald. Wiza said he understands that most people's concern are not with the annexation of the land but what will happen with the land. The agreement clearly states the Town of Hull would support the annexation.

Ald. R. Stroik asked if the current property owners are wishing to annex the property.

Mayor Halverson replied yes.

Ald. R. Stroik said the current property owners approached the City of Stevens Point asking to annex the property.

Mayor Halverson said the property owners petitioned us for annexation.

Ald. R. Stroik said Town of Hull citizens could have to purchased the land themselves if they wanted to protect it. Everything makes sense about this annexation. This is a legal annexation.

Ald. Beveridge said he would like to see the City of Stevens Point concentrate on developing the Parkdale properties before developing new areas.

Roll Call: Ayes: Ald. O'Meara, Wiza, M. Stroik, Slowinski,
Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: Ald. Beveridge, Suomi. Motion carried.

9. Public Hearing – Zoning – Zone Northeast Quadrant of the Intersection of Badger Avenue and Highway 10 East as “B-5” Highway Commercial District.

Mayor Halverson declared the public hearing open.

Reid Rocheleau, 408 Cedar West, said there was not enough transparency. He said he heard a gas station will be located on the property.

Mary Ann Nigbor, 5917 Clark Street, said she heard from a surveyor that a gas station would be going in this location. She feels the city has enough gas stations.

Mary Kneebone, 5718 Sandpiper Drive, said we don't need another gas station. She asked the Council to utilize the vacant lots instead of the park that everyone enjoys. She asked the Council to consider the wildlife.

John Holdridge, 710 Hofmeister, said gas spills should also be considered based on a report he received from the DNR. He believes there should be an effort to protect not just the Town of Hull's water supply, but all the water supply. He said he would be willing to share the report with anyone who wished to read it.

David Garber, 5893 Clark Street, said he opposes the commercial zoning and urban sprawl until an appropriate plan is put in place. He asked for transparency. He raised concerns of water quality issues and that it is not in the best interest of the citizens.

Ann Leahy, 5970 Westminster Court, said she opposes the zoning ordinance. She raised concerns about water quality and the protection of wellheads. She said she opposes the plan for a gas station. She asked the Council to table this for further consideration.

Mary Glinski, 1740 Clark Street, said she opposes the zoning and the idea of a gas station. She raised concerns of gas spills and how it could affect the quality of the water and the people who live near the property.

Kevin Zuiawski, 1699 Lark Court, he raised concerns regarding light pollution if a gas station goes in. He said it costs a lot of money to remove trees and clear land as well as fill for lowlands.

Maris Rushevics, 1811 Blueberry Lane, urged the Council to consider the consistency requirement of the master site plan. He said the wetlands have boundaries but ground water does not. He urged the Council to table the zoning pending more information.

Mayor Halverson asked Mr. Rushevics if he was retained by the Town of Hull.

Maris Rushevics said yes.

Mayor Halverson asked Mr. Rushevics to refer to page four of the agreement, the delineation of the study; specifically where zoning will be or not be according to this agreement. He said the property in question is past the area Mr. Rushevics is referring to within the master site plan.

Maris Rushevics said this is true if you are considering the surface.

Mayor Halverson asked if Mr. Rushevics had a current map in front of him.

Maris Rushevics said he did not have a current map of the area.

Mayor Halverson said after reviewing the most recent DNR maps more than fifteen percent of the property on this site is not considered wetlands, nearly eleven acres are not wetlands.

Maris Rushevics said the issue is ground water, not enough information has been discovered regarding ground water quality.

Mayor Halverson said the Town of Hull agreed to B-5 Highway Commercial zoning and the allowed uses include gas stations.

Bob Enright, 5753 Algoma Street, said there were permitted uses in the agreement to go along with the B-5 zoning. He said no one on the 1998 committee anticipated a gas station going in these areas. He asked the Council to consider the spirit and the intent of those restrictions and instructions from the original committee.

Ald. Wiza **moved**, Ald. Slowinski seconded to suspend the five minute limit for persons who wish to speak on this agenda item.

John Holdridge, 710 Hofmeister, said the agreement made was with Mayor Wescott, it was a twenty year agreement. He said the agreement was with the understanding that the lands west of Badger were considered wetlands. He said in 2006 that area was deemed residential and natural lands. He said they have serious water issues there and encouraged the Council to seriously consider them.

Barb Jacobs, 1616 Maples Street, asked the Council members to listen to the people. She asked that a comprehensive plan be put together before a change is made.

Bob Woehr, 727 Second Street, said there is a lack of transparency. He said it would not hurt to wait to decide on the zoning.

Mary McComb, 2100 Elk Street, said we have learned a lot about the environment in the past 14 years since the 1998 agreement. She feels it is not right to hold the Town of Hull to the agreement given what we've learned.

Cathy Dugan, 615 Sommers, she said she opposes holding the Town of Hull to the 1998 agreement. She opposes putting any commercial business where a park is.

Robert Kushner, 1818 Marys Drive, asked the Council what will happen if there is a major leak.

As no one else wished to speak, the Mayor declared the public hearing closed.

10. Ordinance amendment on the above.

Ald. Trzebiatowski asked if we had vehicle accidents what constitutes a spill.

Assistant Fire Chief Finn said over five gallons constitutes a spill to be reported to the DNR.

Director Ostrowski said B-5 zoning is one of the more restrictive zoning areas for conditional use permits.

Ald. Wiza, said the B-4 zoning ordinance allows gas stations as a permitted use and the B-5 zoning states anything in B-4 is allowed in B-5.

Director Ostrowski said the property is in a wellhead protection zone so therefore it becomes a conditional use and not a permitted use.

Mayor Halverson said that gas stations are prohibited in zone A but allowed in zone B with a conditional use permit.

Ald. Wiza said information provided to him from the Town of Hull states gas stations are prohibited in the wellhead protected zones.

Mayor Halverson asked if the ordinances are from the county or from the City of Stevens Point.

Ald. Wiza said they were probably from the county. He asked the Mayor, City Attorney, the Clerk or Director Ostrowski if they are aware of any project that wants to develop on that property.

Director Ostrowski said we have received plans for a gas station which will be under a conditional use permit and will be brought forward in September.

Ald. Trzebiatowski asked if Director Ostrowski was aware of any changes in regulations over the past 20 years.

Director Ostrowski said no. He said he has spoken with individuals who are aware of the specific regulations and they told him Wisconsin has the most stringent regulations in the Country.

Mayor Halverson said if we were to consider a gas station for that site and subsequently a second gas station; any time we move forward with a gas station in a wellhead protection area we will be sure to take everyone's best interest into consideration. Even with the toughest regulations in the country, it does not mean we can't be more restrictive.

Ald. R. Stroik **moved**, Ald. Trzebiatowski seconded, to approve the ordinance making this "B-5" Highway Commercial District.

Ald. Wiza said FERC and the DNR have strict guidelines in place regarding construction in wetlands. The city will have them define it. It is part of our plan. This will be discussed at the September meeting when there is an actual proposal. He said he is not in favor of anything that would interfere the wetlands or the groundwater. However, he is in favor of the rezoning classification at this time because the plan was signed off on by the Town of Hull.

Ald. Beveridge said he favors development; however, he does not favor the development of a gas station. He is in favor of the rezoning.

Ald. Patton said even if Parkdale wanted to build a gas station, no matter what we do the Town of Hull has opposed it. He asked that the Town of Hull come to the table and cooperate.

Roll Call: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, M. Stroik, Wiza, O'Meara, Beveridge.
Nays: Ald. Suomi. Motion carried.

11. Minutes and actions of the Public Protection Committee meeting of August 13, 2012.

Ald. Beveridge **moved**, Ald. Trzebiatowski seconded, to approve the minutes and actions of the Public Protection Committee meeting of August 13, 2012 with the exception of item 2A pulled for further discussion.

Ald. Suomi asked if the Humane Society gave approval to the kennel.

Clerk Moe said yes.

Call for the Vote: Ayes: All.
Nays: None. Motion carried.

Reid Rocheleau, 408 Cedar West, said the Police Department's requirement of contractual officers for Barb Jacob's fundraiser should be waived. He asked if

the Council would contribute to the cost of the security as donation to the fundraiser.

Mayor Halverson said he applauded Barb Jacobs in her efforts to organize a fundraiser for playground equipment and had told her that the city would match her funds to be applied to the cost of the equipment. He said the cost of the installation of equipment and security are two different items.

Barb Jacobs, 1616 Depot Street, asked the Council to waive the Public Protection Committee's requirement of two City Police Officers to be on the premises at her fundraiser. She asked the Council in lieu of using the Stevens Point Police Officers if she could use Gruber Security.

Ald. Phillips asked if the city uses Gruber Security.

Mayor Halverson said the city does use them and almost exclusively for night security for the park system.

Director Schroeder said Gruber is bonded and is also used for supplemental security at Riverfront Rendezvous.

Ald. Phillips **moved**, Ald. M. Stroik seconded, to rescind the requirement of two police officers at the event and require four Gruber Security officers to be there.

Ald. Trzebiatowski encouraged the Council to participate in the restoration of the park. He said a lot of people use the park and grandparents enjoy taking their grandchildren there to play.

Ald. Patton said he is in favor of Ald. Phillips' motion.

Ald. Suomi asked if there was a policy in place requiring the use of Stevens Point City Police officers at large events.

Mayor Halverson said historically for large events where alcohol is served enforcement becomes a requirement. He is not sure if it is a written policy but it is common practice to ensure situations are kept under control. He said he is not in favor of this motion and believes the safety and professionalism of the city police at the event is paramount.

Ald. O'Meara said he agrees with the Mayor on this matter. If someone wants to make a motion to pay for the cost of the city officers he would support it.

Ald. Slowinski raised concerns about the reasoning behind the requirement placed on this event and asked that the Council consider paying the cost of the city officers.

Ald. Wiza asked why the city doesn't put the same requirements on church events even though they are of comparable size to the event Barb Jacobs is having.

Assistant Chief Skibba said the difference is because some events are held in the evening hours and they tend to bring out a more social crowd.

Ald. Wiza said he supports using city police officers and would support helping defray the cost.

Ald. Trzebiatowski asked how many incidents occurred at similar fundraisers last year.

Assistant Chief Skibba said he could not say without referring to the records. He said the presence of law enforcement is enough to keep incidents from occurring.

Call for the Vote: Ayes: Majority.
Nays: Minority. Motion carried.

12. Minutes and actions of the Finance Committee meeting of August 13, 2012 and the minutes of the Special Finance meeting of July 16, 2012.

Ald. Beveridge **moved**, Ald. Slowinski seconded, to approve the minutes and actions of the Finance Committee meeting of August 13, 2012 and the minutes of the Special Finance meeting. July 16, 2012

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion carried.

13. Resolution – Transfer of Funds from the General Fund to the McDill Lake Management Fund, Library Repair, Lincoln Center Repair and Airport Fuel Clean Up accounts.

Ald. Slowinski **moved**, Ald. M. Stroik seconded, to approve the Resolution – Transfer of Funds from the General Fund to the McDill Lake Management Fund, Library Repair, Lincoln Center Repair and Airport Fuel Clean Up accounts.

Ald. Moore disagrees with the amount of money being spent on repair items when the county had been instructed in the past to do repairs. Instead they only patched them up and now the city is having to spend more money again. He said the agreements need to be changed. It is costing the taxpayers twice.

Mayor Halverson said the city is in the process of negotiating with the County and these issues are being addressed.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion carried.

14. Minutes and actions of the Board of Public Works meeting of August 13, 2012.

Ald. Patton **moved**, Ald. Suomi seconded, to approve the minutes and actions of the Board of Public Works meeting of August 13, 2012.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion carried.

15. Minutes and actions of the Personnel Committee meeting of August 13, 2012.

Ald. Moore **moved**, Ald. Phillips seconded, to approve the minutes and actions of the Personnel Committee meeting of August 13, 2012.

Call for the Vote: Ayes: All.
Nays: None. Motion carried.

16. Minutes and actions of the Special Committee/Appointment Process Review meetings of July 26, August 2, and August 8, 2012.

Ald. O'Meara **moved**, Ald. R. Stroik seconded, to approve the minutes and actions of the Special Committee/Appointment Process Review meetings of July 26, August 2, and August 8, 2012.

Call for the Vote: Ayes: All.
Nays: None. Motion carried.

17. Charter Ordinance Amendment – Changing the method of selection of the City Attorney and Comptroller/Treasurer from Elected to Appointed and submittal to referendum.

Ald. Wiza asked if the Council was voting for a Charter Ordinance Amendment or a referendum. He asked why there would be a need for a referendum if the Charter Ordinance Amendment was successful.

Mayor Halverson said the vote would be simultaneous for both the ordinance and a referendum. He said he asked the city Attorney to write it this way so that the Charter Ordinance Amendment would automatically call for a referendum.

Ald. Trzebiatowski said he talked to numerous people throughout the city, he discovered most people were in opposition to the idea of an appointment process. The cost of a referendum would not be justified.

Ald. Moore asked if the referendum would be a binding referendum.

City Attorney Molepske said yes.

Ald. Moore asked what the number of votes it would take to pass this Charter Ordinance. Would it be the same for the referendum as the Charter Ordinance Amendment?

City Attorney Molepske said the Charter Ordinance Amendment and submittal to referendum is written in unity and it would require a two-thirds vote.

Ald. Wiza said most of his constituents and those he has spoken with from other districts are opposed to the proposed change. After talking about it at Council, at the Sub-Committee and the Personnel Committee, he feels no one wants this.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, to deny the Charter Ordinance Amendment as a whole.

Bob Woehr, 727 Second Street, said he opposes the idea of appointing a City Attorney and Comptroller/Treasurer. He said 10-15 percent of the voters consist of University students and they do not have permanent ties to the community.

Barb Jacobs, 1616 Depot Street, said there is not enough time devoted to this subject. She said she agrees that these positions do need requirements but opposes the appointment process.

Mayor Halverson said it was his intention all along that this would be taken to referendum but can see that now is not the right time. He said this is a conversation that should continue. He said there is not enough time to make this decision and give the citizens adequate time to debate it. He asked the Council to vote to deny the Charter Ordinance Amendment.

Reid Rocheleau, 408 Cedar West, said he opposed the Charter Ordinance Amendment and referendum being on the Council agenda and the Charter Ordinance as a whole.

Ald. Phillips asked if it would be out of order to table this agenda item.

Mayor Halverson said no, it could be tabled to a specific date or indefinitely.

City Attorney Molepske said it could just be tabled. If no one takes it off the table before the meeting adjourns it dies.

Ald. Phillips **moved**, Ald. Trzebiatowski seconded, to table the Charter Ordinance Amendment – Changing the method of selection of the City Attorney and Comptroller/Treasurer from Elected to Appointed and submittal to referendum.

Call for the Vote: Ayes: Majority.
Nays: Minority. Motion carried.

Ald. Wiza asked if the Mayor, as Chairman of Council, does indeed have the authority to set the agenda.

City Attorney Molepske said yes the Mayor does have the authority to set the Council agenda.

18. Minutes and actions of the Board of Water & Sewage Commissioners meeting of August 13, 2012.

Ald. Moore **moved**, Ald. O'Meara seconded, to approve the minutes and actions of the Board of Water & Sewage Commissioners meeting of August 13, 2012.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Patton, R. Stroik, Phillips, Moore.
Nays: None. Motion carried.

19. Minutes and actions of the Board of Park Commissioners meeting of August 1, 2012.

Ald. Slowinski **moved**, Ald. M. Stroik seconded, to approve the minutes and actions of the Board of Park Commissioners meeting of August 1, 2012.

Call for the vote: Ayes: All.
Nays: None. Motion carried.

20. Minutes and actions of the Special Police and Fire Commission meeting of July 31, 2012.

Ald. Moore **moved**, Ald. Phillips seconded, to approve the minutes and actions of the Police and Fire Commission meetings of July 31, 2012.

Call for the vote: Ayes: All.
Nays: None. Motion carried.

21. Statutory Monthly Financial Report of the Comptroller-Treasurer.

Ald. Moore **moved**, Ald. Phillips seconded, to approve the Statutory Monthly Financial Report of the Comptroller-Treasurer

Call for the vote: Ayes: All.
Nays: None. Motion carried.

22. Mayoral Appointment:

Community Development Authority – Appoint Marge Molski, 800 St. Paul St. Unexpired term of Walther (Expires 6/19/14).

Ald. Wiza **moved**, Ald. Moore seconded, to approve the Mayoral Appointment: Community Development Authority – Appoint Marge Molski, 800 St. Paul St. Unexpired term of Walther (Expires 6/19/14).

Call for the vote: Ayes: All.
Nays: None. Motion carried.

23. Adjournment.

The meeting adjourned at 10:20 p.m.