

**City of Stevens Point
REGULAR COUNCIL MEETING**

**Council Chambers
County-City Building**

**April 15, 2013
7:00 P.M.**

Mayor Andrew J. Halverson, presiding

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

Also Present: City Atty. Molepske, Clerk Moe, C/T Schlice, Directors Schatschneider, Schrader, Ostrowski, Lemke, Emergency Mgt. Director McGinty, Police Chief Ruder, Fire Chief Kujawa, Asst. to the Mayor Pazdernik, Kevin Lu-Stevens Point Journal, Matt Brown-Portage County Gazette, Brandi Makuski-Stevens Point City Times.

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

Mayor Halverson reflected on the incident which occurred at the Boston Marathon. He stated he was moving Agenda Item #6 up to Agenda Item #3 relating to the recognition of Police Officers John Moss and Joseph Kramer. There was no objection.

6. Recognition of Police Officers John Moss and Joseph Kramer.

Chief Ruder explained the events that took place on March 15, 2013 in which the meritorious actions of Officers Moss and Kramer helped save a life. He commended the officers and honored them on behalf of the City.

Mayor Halverson read the commendations to Officers Moss and Kramer in which they showed excellent judgment succeeding in a favorable outcome by using their training and skill. He praised their determination, bravery and efforts to go above and beyond the call of duty. Mayor Halverson extended his gratitude for their actions and encouraged the citizens of the City of Stevens Point to share in the pride of the honor these officers have received.

Chief Ruder went on to say that the Police Department recognizes officers for meritorious acts and acts of valor with the "Meritorious Duty Award". Chief Ruder awarded Officers Moss and Kramer with a trophy signifying the honor.

3. Consideration and possible action of the minutes of the Common Council meeting of March 18, 2013.

Ald. R. Stroik **moved**, Ald. Moore seconded to approve the minutes of the Regular Common Council meeting of March 18, 2013 and the Special Joint Common Council / Police and Fire Commission meeting of March 18, 2013.

Roll Call: Ayes: All

Nays: None. Motion adopted.

- 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.**

Armin Nebel, 1100 Phillips Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Rick Whipp, 2016 Main Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Mildred Neville, 1709 Jefferson Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Seth Hoffmeister, 1716 Portage Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Cindy Nebel, 1100 Phillips Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

David Brandt, 3001 Lampman Drive, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Becky Henning, 2321 Sims Avenue, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Mary Ann Laszewski, 1209 Wisconsin Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Barb Jacob, 1616 Depot Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Ted Bauer, 1101 Wisconsin Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Cathy Dugan, 615 Sommers Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council

Dave Eschenbauch, 10353 Krogwold Road, Amherst Junction, WI
Item #5 – Persons who wish to address the Mayor and Council

- 5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.**

Armin Nebel, 1100 Phillips Street, on behalf of the Old Main Neighborhood Association extended an invitation to Council members and residents to a film premier on April 22 at 7 p.m. at the UWSP theatre.

Rick Whipp, 2016 Main Street, spoke regarding illegal, unlicensed rental properties that have increased in his neighborhood and requested the City Inspection Department take a proactive approach and review properties in the UWSP area for code violations. He also asked the Common Council to create ways to promote home ownership via enhancements to the neighborhood. Mr. Whipp also spoke about bar incidents in the downtown area and encouraged a more positive environment be promoted for the protection of the downtown patrons and the neighborhood.

Mildred Neville, 1709 Jefferson Street, spoke about building community and stronger neighborhoods by following ordinances.

Seth Hoffmeister, 1716 Portage Street, addressed the Council and Mayor regarding tenants' rights in regard to student housing. He told the Council and Mayor that some landlords do not have their rental properties up to code and requested the City look into these substandard properties for the safety of the students.

Cindy Nebel, 1100 Phillips Street, addressed the Council and Mayor about the City's current housing as it relates to licensed and unlicensed rental properties. She also spoke about enforcement of the zoning ordinances and members of the community helping out to report violations to the Inspection Department.

David Brandt, 3001 Lampman Drive, also spoke about substandard housing and unlicensed properties and stated more action should be taken against unlicensed rental properties per the codes and ordinances in Chapter 21.

Becky Henning, 2321 Sims Avenue, said she supports increased awareness and enforcement of the zoning regulations and ordinances in regard to unlicensed rental properties.

Mary Ann Laszewski, 1209 Wisconsin Street, spoke regarding the upgrades of rental properties in the City being the sole responsibility of the landlord unlike other properties which qualify for assistance. She also mentioned preserving the neighborhood quality of the abundant rentals near the downtown area.

Barb Jacob, 1616 Depot Street, expressed concern about upkeep and licensing of rental properties in various parts of the City. She stated some of the City's ordinances on these issues need to be reviewed.

Ted Bauer, 1101 Wisconsin Street, said rental properties have an important part in the community but also stressed pride of ownership, maintenance and safety needs to come along with these rental properties. Mr. Bauer stated the Inspection Department does a good job with enforcement but they are hindered in responding to complaints. He asked the Council to give the Inspection Department some "teeth" to bring these properties in the City up to code.

Cathy Dugan, 615 Sommers Street, spoke in favor of OMNA's concerns and said the issue exists in other neighborhoods as well. She also favored preserving the architectural integrity of homes in the City.

Dave Eschenbauch, 10353 Krogwold Road, Amherst Junction, WI said he is a member of the Apartment Association and they educate their members and tenants in regard to right and wrong. He feels the Inspection and Fire Departments are doing a good job with enforcement and appreciates the interaction. He also said there are also many single family residences in the City, not just rental properties that are not kept up to standards and encouraged the City to work with these homeowners when there is financial difficulty to maintain their properties.

Ald. Beveridge noted it was his last meeting as a Council member. He then expressed concern about the events which happened earlier in the day in Boston.

Ald. Wiza mentioned it was trivia week and spoke about the parade route.

Ald. R. Stroik questioned the status of the sealed bids for the Edgewater Manor.

Director Ostrowski said the proposals were due on April 19th and the sealed bids would be opened at the next CDA meeting.

Ald. R. Stroik asked if all CDA members and the general bidders would be present.

Director Ostrowski said it would be an open meeting.

Ald. Suomi addressed the single family zoning ordinance and stated she would like to see the City be stronger with enforcement of the single family zoning ordinance. She said she would like to see the quality of the City's neighborhoods improve through more awareness and enforcement in regard to rental permits.

Director Ostrowski stated that the Inspection Department does not have the right to go into a home to check on an inspection unless they have a licensed multiple family dwelling unit. He continued to say that if it is a single family or two family home, they need to have probable cause to enter the home. Director Ostrowski said that inspectors can only enter if the homeowner or tenant would let them inside, otherwise, they cannot go into the home. He said that every complaint that is submitted to the Inspection Department is reviewed. He also encouraged the public to call the office with any known violations. He mentioned that over 395 multiple family dwelling units are licensed on an annual basis. He said that 60 to 70 percent of the orders and inspections that are done are within the college core district. Director Ostrowski stated that area is patrolled heavily by the Inspection Department. He said a meeting will be scheduled in early May with landlords, OMNA as well as city staff to discuss this dialogue. Director Ostrowski also stated that the supply for more rental units is not there and the demand is growing.

City Attorney Molepske said the Fourth Amendment prevents unlawful entry. He said under this Amendment, the building inspector cannot go past the close of the house

without the permission of the tenant or the landlord. He said there also needs to be more than reasonable suspicion, such as concrete evidence, and a signature of a Circuit Court Judge for entrance into a particular property. City Attorney Molepske went on to discuss violations with landlords that have occurred and how they have been addressed. He encouraged citizens to document problems and notify the Inspection Department for enforcement.

Mayor Halverson mentioned a situation in which several unrelated individuals were living in a home in his neighborhood. He said in that process, several steps were taken over a period of time to be able to approach the owner with the violation in which three unrelated individuals were living in the owner occupied premises. Mayor Halverson said these types of issues are handled within the parameters of the law with diligence. He said when code violations are known, they are documented, investigated and action is taken within the ability of the ordinances and laws provided.

Ald. Moore publicly thanked the Fire Department for their quick and professional response, the Police Department for their coordination and all of the other fire departments in the area that responded as back up to the fire at his business.

7. Presentation by Police Chief Ruder on the Police Department's Annual Report.

Chief Ruder briefed the Council on the annual report which has been online for about a month. He discussed the strategic direction and objectives to improve community awareness. He also touched on the crime summary and identified the number of arrests, burglaries and drug use charges. Chief Ruder further discussed the challenges the department faced in 2012 as listed in the annual report. He then elaborated on improvements to the department for 2013 and beyond. A copy of the Police Department's Annual Report is on file at the Clerk's office for further review.

8. Minutes and actions of the Plan Commission meeting of April 1, 2013.

Cathy Dugan, 615 Sommers Street, encouraged more green space be included in the parking lot proposed for the downtown area.

Ald. Moore **moved**, Ald. Patton seconded to approve the Minutes and actions of the Plan Commission meeting of April 1, 2013.

Roll Call: Ayes: Majority
 Nays: Minority. Motion adopted.

9. Ordinance– Annexation –Request from Thomas Trzinski, representing Kwik Trip, Inc., to annex 5303 Old Highway 18 (County Parcel ID: 020240835-07.01A), along with the adjacent right-of-way and Department of Transportation property directly west and north of the aforementioned property from the Town of Hull to the City of Stevens Point.

Ald. Patton **moved**, Ald. Phillips seconded the Ordinance Annexation Request from Thomas Trzinski, representing Kwik Trip, Inc., to annex 5303 Old Highway 18 (County Parcel ID: 020240835-07.01A), along with the adjacent right-of-way and Department of

Transportation property directly west and north of the aforementioned property from the Town of Hull to the City of Stevens Point.

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

10. Public Hearing – Establishing a permanent zoning classification of either B-4 Commercial District or B-5 Highway Commercial District for 5303 Old Highway 18, along with Department of Transportation property directly west and north of the aforementioned property.

Mayor Halverson declared the public hearing open.

Tom Trzinski, Lampert Lee & Associates, 10968 State Highway 54 East, Wisconsin Rapids, WI was present to answer any questions regarding the rezoning.

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

11. Ordinance Amendment on the above.

Ald. Moore **moved**, Ald. Trzebiatowski seconded to approve the Ordinance Establishing a permanent zoning classification of either B-4 Commercial District or B-5 Highway Commercial District for 5303 Old Highway 18, along with Department of Transportation property directly west and north of the aforementioned property.

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

12. Minutes and actions of the Public Protection Committee meeting of April 8, 2013.

Ald. R. Stroik **moved**, Ald. Slowinski seconded to approve the Minutes and actions of the Public Protection Committee meeting of April 8, 2013.

Roll Call: Ayes: All
Nays: None. Motion adopted.

13. Minutes and actions of the Finance Committee meeting of April 8, 2013.

Ald. Beveridge **moved**, Ald. M. Stroik seconded to approve the Minutes and actions of the Finance Committee meeting of April 8, 2013.

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

14. Minutes and actions of the Board of Public Works meeting of April 8, 2013.

Ald. Suomi **moved**, Ald. Phillips seconded to approve the Minutes and actions of the Board of Public Works meeting of April 8, 2013.

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

15. Awarding the contract on the Ellis Street reconstruction Project to Haas Contractors.

Ald. O'Meara **moved**, Ald. R. Stroik seconded to approve Awarding the contract on the Ellis Street reconstruction Project to Haas Contractors.

Ald. O'Meara asked when a notice to proceed will be issued and what date of contractual completion is expected.

Director Schatschneider said the notice to proceed would be shortly after June 10 given the fact of the detours of Michigan and Division Streets. He said they want to wait until school is out and the completion of Special Olympics. He anticipated a completion date around the end of August.

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

16. Ordinance Amendment – Traffic – Amend No Parking, Stop Signs and Yield Signs on Fourth Avenue and Fremont Street.

Ald. Suomi **moved**, Ald. Moore seconded to approve the Ordinance Amendment – Traffic – Amend No Parking, Stop Signs and Yield Signs on Fourth Avenue and Fremont Street.

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

17. Minutes and actions of the Board of Water & Sewerage Commissioners meeting of April 8, 2013.

Ald. R. Stroik **moved**, Ald. O'Meara seconded to approve the Minutes and actions of the Board of Water & Sewerage Commissioners meeting of April 8, 2013.

Ald. R. Stroik noted item #11 await future action.

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

18. Resolution – Authorizing application for Stormwater Runoff Management Grant.

Ald. Beveridge **moved**, Ald. Slowinski seconded to approve the Resolution – Authorizing application for Stormwater Runoff Management Grant.

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

19. Minutes and actions of the Special Police and Fire Commission meeting of March 27, 2013.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded to approve the Minutes and actions of the Special Police and Fire Commission meeting of March 27, 2013.

Roll Call: Ayes: All
Nays: None. Motion adopted.

20. Minutes and actions of the Board of Park Commissioners meeting of April 3, 2013.

Ald. M. Stroik **moved**, Ald. Slowinski seconded to approve the Minutes and actions of the Board of Park Commissioners meeting of April 3, 2013.

Roll Call: Ayes: All
Nays: None. Motion adopted.

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

Ald. Moore **moved**, Ald. Phillips seconded to accept the report and place it on file.

Roll Call: Ayes: All
Nays: None. Motion adopted.

22. Recognition of and Remarks by Comptroller/Treasurer Schlice and City Attorney Molepske.

Mayor Halverson shared some reflections regarding the Comptroller/Treasurer and City Attorney regarding how their legacy has positively impacted the community of City of Stevens Point. He commended them on their years of service, dedication, knowledge, commitment and professionalism.

Comptroller/Treasurer Schlice reviewed what he accomplished in his 27 year tenure and how things have changed over that time moving the City forward. He stated he was proud that the City was the first in the United States to issue a Build America Bond and welcomed the questions he received from others about this process. He emphasized the City of Stevens Point is one of the financially strongest municipalities in the State. C/T Schlice individually recognized his staff for their hard work and dedication. He stated working for the City of Stevens Point has been a rewarding and

educational experience. He thanked everyone who has supported him over the last 33 years and looks forward to his retirement.

Mayor Halverson expressed his gratitude to City Attorney Molepske for the leadership and guidance he has provided and said the citizens of the City will be indebted to him for many years for his perseverance over the last 46 years.

City Attorney Molepske reviewed some City statistics over the last 46 years that took place over his tenure as City Attorney. He said a special thank you to city staff for their work and he stated that the mayors he has worked with have always had the best interests of the City in mind. He also discussed the building of the schools in the City as it grew and the importance of educating our children.

City Attorney Molepske thanked the residents of the City who provided funds to support his family. He said he is not retiring, but will once again enter into the private practice of law. He then cited verbiage from the poem *Ulysses* which is about continuing life.

He once again thanked fellow city residents and employees for the benefits bestowed upon him and hoped that he gave everyone something in return.

23. Adjournment.

The meeting adjourned at 8:50 p.m.