

**CITY OF STEVENS POINT
PUBLIC PROTECTION COMMITTEE
Monday, August 11, 2014 – 6:12 P.M.
Lincoln Center – 1519 Water Street**

Present: Alderpersons: Slowinski, Trzebiatowski, Wiza, M. Stroik, Doxtator

Also

Present: Mayor Halverson; City Attorney Beveridge; Clerk Moe; Comptroller/Treasurer Ladick; Alderpersons Suomi, O'Meara, R. Stroik, Phillips and Moore; Directors Schrader, Ostrowski and Lemke; Sgt. Babl; Keith Pilger; Tori Jennings; Barb Jacob; Lindsay Ryan; Garrett Ryan; Cindy Nebel; Armin Nebel; James Evins; Tina Wiley; Kim Basala; Paul Wachowiak; Rich Sommer; Rob Konkol; Joe Cyran; Daryl Kurtenbach; Becky Jirous; Nate Enwald – Gazette; Brandi Makuski – City Times; Sari Lesk – Stevens Point Journal

1. License List:

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

B. Temporary Extension of Licensed Premise – Partners Pub and Grill Inc., 2600 Stanley Street for Partners Pub and Grill, request for temporary extension of licensed premise to include a fenced in area in their parking lot for 37th Annual Homecoming Celebration on Saturday, September 27, 2014.

Sgt. Babl stated the Police Department does not have any issues with this event. He noted two contractual officers have been hired for the homecoming celebration event.

Rob Konkol, 2708 Stanley Street, said he is available for any questions.

Ald. Wiza asked if Ald. Suomi has any concerns with this request.

Ald. Suomi said last year was a good year but weather is always a factor for this event.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, approval of the new operator licenses and the temporary extension of premises for Partner's Pub for the homecoming celebration on September 27.

Ald. Trzebiatowski asked if there were any communications with the owners of the apartment complexes behind Partner's Pub.

Sgt. Babl said extra officers will be working homecoming weekend and the Police Department plans to send out letters to the neighbors again this year.

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

2. Request to Hold Event / Street Closings:

A. Stevens Point Area Catholic Schools – 5 K Color Fun Run in conjunction with Panacea on September 6, 2014.

B. Tina Wiley, 1300 Briggs Ct., #506 – Request to hold a Hi – Rise rummage sale on August 23, 2014 at the public parking lot in front of the Hi-Rise Manor, 1300 Briggs Ct.

Kim Basala, representing SPACS, is requesting support for the 5K Color Fun Run.

Ald. Wiza stated this request does not require any street closings, it is just to hold the event.

Ms. Basala replied that is correct.

Ald. Wiza asked if this raises any concerns with the Police Department.

Sgt. Babl replied no.

Ald. Wiza **moved**, Ald. Slowinski seconded, approval of the event for the 5K Color Fun Run held in conjunction with Panacea on September 6, 2014.

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

Tina Wiley, 1300 Briggs Court, is requesting to hold a rummage sale in the public parking lot in front of the Hi-Rise Manor.

Ald. Trzebiatowski asked if there is a designated area in the parking lot for the sale.

Ms. Wiley said it will be in the middle of the lot.

Ald. Trzebiatowski asked if it will be in the crosswalk area.

Ms. Wiley responded yes.

Ald. Doxtator stated he is in favor of this request.

Ald. Wiza asked if the Police Department could designate no parking in this area during the sale.

Sgt. Babl said this area needs to remain open for emergency vehicles. He is also concerned with setting a precedence for allowing rummage sales on public property.

Mayor Halverson asked if Ms. Wiley contacted the Executive Director to ask permission to use the lot north of the Hi-Rise building.

Ms. Wiley replied no.

Mayor Halverson believes there would be plenty of area to accommodate the rummage sale on that site.

Ald. Wiza asked if there are any ordinances that prohibit sales on public property.

City Attorney Beveridge replied not that he is aware of.

Ald. Wiza recommended that Ms. Wiley talk to the Executive Director to hold the sale on site prior to the Council meeting.

Ald. Wiza **moved**, Ald. M. Stroik seconded, to forward this to Council without a recommendation.

Ald. Trzebiatowski asked if this will allow enough time for the Housing Board to discuss this.

Mayor Halverson stated Ms. Wiley would just need to work this out with the Executive Director.

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

3. Ordinance – Peace and Offenses – Creation of a Chronic Nuisance Ordinance.

Cindy Nebel, 1100 Phillips, stated this is not a redundant ordinance as this ordinance only has an effect on licensed properties or multiple apartment complexes. She stated this ordinance will require people to be more responsible.

Ald. Trzebiatowski questioned under findings, why there is no time frame for three or more occurrences.

Ald. Doxtator stated it is three violations within 30 days.

Ald. Slowinski replied it is under 3A notices.

City Attorney Beveridge stated the findings section is not an operative portion of the ordinance.

Joe Cyran, 1917 Church Street, said there is a lot of vagueness in the language of this ordinance.

Ald. Wiza said he would like to recommend anybody with concerns to submit their proposed comments to the City Attorney's office.

Mr. Cyran asked why the City is not pulling licenses from chronic faulty landlords.

Armin Nebel, 1100 Phillips Street, voiced his concerns on the number of student rentals that are not licensed. He said the purpose of the ordinance is to communicate a plan that would remedy the situation.

Randy Bradley, 2133 Wyatt Avenue, said he believes the person who commits the violation should be fined. He said the city's ordinances are forcing landlords to take inferior quality tenants and then fine the landlords for the tenants' violations.

Paul Wachowiak, 1620 Meadowview Lane, said this ordinance is coming back unchanged and it still does not address the people that are violating the ordinance. He said it targets the property owner and does not get to the source of the problem.

Garrett Ryan, 1708 Clark Street, said the City does not treat landlords like business owners. He stated something needs to be done so if better verbiage is needed then it should be discussed.

Rich Sommer, 4224 Janick Circle N, stated the ordinance is much larger than it appears because there are references to state statutes which expands it. He said this ordinance will hold the landlords responsible for enforcing prostitution, drugs and noise.

Daryl Kurtenbach, 5282 Airport Road, said the ordinance has not been changed since last October so the same issues are still here. He said he is concerned that he could be responsible for circumstances that he has no control over.

Tori Jennings, 1632 Ellis Street, said the landlords are responsible for setting up rules before tenants move into their houses. She said if the tenants are not following those rules then they should be evicted from the home.

City Attorney Beveridge said this ordinance was drafted from Milwaukee's ordinance which has been in place for several years. He said the ordinance went through three versions of changes to address concerns that were presented. The City Attorney reviewed the changes: 1) the amount of time to respond to notices from the Police Chief went from 10 days to 15 days, 2) the window in which three nuisance activities went from 60 days to 30 days and 3) a good faith clause was added. He said individuals will still be accountable for their actions and the tool of taking away a multiple family housing license is still in effect. The City Attorney noted this ordinance will require landlords to come up with a plan and work cooperatively.

Ald. Wiza asked if a neighboring property owner is reliable for violations occurring on their property.

City Attorney Beveridge stated he would not expect any type of action would be taken.

Ald. Wiza asked the City Attorney if he is familiar with a social host ordinance.

City Attorney Beveridge said typically those ordinances relate directly to alcohol.

Ald. Slowinski would like to take no action this evening and direct the Apartment Association, City Attorney and Police Department to set up a meeting to discuss the concerns. He said he would like an amended ordinance presented to the Public Protection Committee next month. The alderperson noted any person interested in being involved with this discussion should contact the City Attorney.

Mr. Kurtenbach said next month is a bad time for landlords.

Ald. Slowinski suggested having a September meeting and bringing the ordinance back to the Public Protection Committee in October.

Ald. Wiza said anyone with comments should submit them in writing so they can be discussed. He is concerned with who needs a license, is it any rental with more than two unrelated persons.

Director Ostrowski stated not all rentals require licensing. He said if you have three or more units or three individuals within a specific unit, you would need a license.

Ald. Wiza asked if a unit is a property address or mailing address.

Director Ostrowski replied it is a property address.

Mayor Halverson said a concern will be the amount of duplexes that meet the standards of "R3" zoning that have two units with two unrelated persons in either side of those properties, then one of the tenants develops a long term friend who is not an official resident, this becomes a very important element in this matter. He said the City could pursue requiring all rentals to be licensed. The Mayor said the current ordinances are mute on how to handle a situation where someone who is renting out a property for profit that is not licensed.

Ald. Slowinski said he wants the ability for everyone to be part of the development of this ordinance. He also wants to make sure landlords are not responsible for something that is out of their control.

Ald. R. Stroik said he would like this ordinance moved forward because it is a tool to bring people together to solve problems. He suggested that the City Attorney contact Milwaukee to see when the ordinance has worked.

Ald. Wiza said he agrees with Ald. R. Stroik. He would like the City to take their time and do it right.

City Attorney Beveridge noted that Milwaukee's ordinance has been in effect for 13 years so there should be a lot of examples of the exact situations we are hoping this will address.

Ald. Slowinski stated this will be moved to next month's agenda as a public hearing so the concerns can be addressed to create an ordinance that will work for everyone.

4. Monthly Inspection Report.

Ald. Wiza **moved**, Ald. Doxtator seconded, to accept the report and place it on file.

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

5. Adjournment.

Adjournment at 7:25 p.m.