

**CITY OF STEVENS POINT
PUBLIC PROTECTION COMMITTEE
Monday, May 9, 2016 – 6:05 P.M.
Lincoln Center – 1519 Water Street**

Present: Alderpersons: Johnson, Ryan, Dugan, McComb, Morrow

Also

Present: Mayor Wiza; City Attorney Beveridge; City Clerk Moe; Alderpersons Doxtator, Shorr, Oberstadt, Slowinski, Kneebone and Phillips; Directors Schrader and Ostrowski; Police Chief Skibba; Fire Chief Finn; Rob Konkol; Randall Krayecki; Kathy Krayecki; Shayla Kvatek; Amanda Filtz; Randy Stroik; Laura Lauer; Brandi Makuski – City Times

1. Request to Hold Event/Street Closings:

- A. Gus Macker Basketball Tournament – Request to close a section of Crosby Ave. on Sept. 9 – 11, 2016.**
- B. Marshfield Clinic – Aim for a Cure color run on August 6, 2016. Request the closure of a one lane section of Water St.**
- C. Amanda Filtz – 5K Run/Walk Fundraiser for the George Chodzinski UWSP Scholarship on October 9, 2016.**

Rob Konkol, representative for Gus Macker Basketball Tournament, was available for any questions.

Mayor Wiza stated the Gus Macker Basketball Tournament will be held in Stevens Point for the next three years. He said the request is to close Crosby Avenue between Franklin Street and the driveway to the bank to set up basketball courts.

Laura Lauer, representative for Aim for a Cure, said the request is to close one lane of Water Street for approximately one hour for safety of the runners and walkers participating in the Color Run.

Ald. Morrow asked if this is the first year for this event.

Ms. Lauer stated this is the first year for the run, however, it is the fifth year for the event.

Amanda Filtz, host of the George Chodzinski 5k walk/run, said the event is to raise funds for a scholarship at UWSP.

Chief Skibba stated auxiliary members will provide services such as traffic control.

Ald. Ryan **moved**, Ald. Dugan seconded, to approve items: A. Gus Macker Basketball Tournament, B. Marshfield Clinic Aim for a Cure color run and C. Amanda Filtz – 5K Run/Walk Fundraiser.

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

2. Request to raise chickens – 216 W. Pleasant St.

Gilbert Kvatek, 216 W. Pleasant St, said they have a large yard that they would like to build a coop and raise chickens.

Ald. Morrow asked if the neighbors have any concerns.

Mr. Kvatek said the neighbors are excited.

Ald. McComb said she knows the family and she believes they will do a good job raising chickens.

Ald. Morrow asked how many chickens they planned to raise.

Mr. Kvatek said they will have five.

Ald. Ryan said he was impressed how thorough the request was prepared.

Ald. Ryan **moved**, Ald. McComb seconded, to approve the request to raise chickens at 216 W. Pleasant Street.

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

3. Appeals of service charge for property maintenance violation: A. 2025 Michigan Ave.

Kathy Krayecki, 2025 Michigan Ave, said the car was just parked on the side of the driveway so they could pull their other car out of the garage.

Randy Krayecki, 2025 Michigan Ave, said there is no parking on the street so they cannot pull the car out onto the street.

Ald. McComb said the Inspector stated on the first visit the headlights on the car were facing the street and during the second visit the car was facing the other direction.

Ald. Morrow asked where they usually park the car.

Mrs. Krayecki responded one is in the garage and the other in the driveway or both in the driveway.

Mr. Krayecki said it is a single driveway so there is not enough room to park next to each other.

Ald. Dugan asked if they have to do this frequently as the grass is worn in that area.

Mr. Krayecki replied yes.

Ald. Johnson asked if they considered putting in a parking area.

Mrs. Krayecki said she does not think there is enough room.

Ald. Dugan asked if they could widen the driveway on their side on the property.

Mrs. Krayecki said they have a large tree in the way.

Ald. Morrow asked what they planned to do so this does not continue to happen.

Mr. Krayecki said they plan to ask the neighbor if they can put in a temporary parking place.

Mrs. Krayecki said they could remove the tree in their yard and widen the driveway.

Ald. Ryan said he is having a hard time overturning this with the repercussion it will cause with others who are in the same situation.

Director Ostrowski said the violation occurred at least twice and it is challenging to say how long the vehicle was parked there.

Ald. Morrow asked how the notices are sent out.

Director Ostrowski replied first class mail.

Ald. Johnson said the ordinance reads a reasonable amount of time will be given to meet compliance. She said the reasonableness is not defined. The Alderperson said she is uncomfortable with this vagueness.

Director Ostrowski said eight days is reasonable to remove a vehicle from the grass.

Ald. Morrow agrees with Ald. Ryan.

Ald. Ryan said everyone needs to be treated equally.

Ald. Johnson said the City's primary focus is compliance.

Ald. McComb said the people need to be treated fairly. She said this one is a hard decision.

Ald. Phillips said the City removed parking on the street in front of their house and now created this issue for the residents.

Ald. Slowinski agrees with Ald. Phillips. He asked if the property owners came to the City after the first notice to explain their situation.

Director Ostrowski said the property owner called after the second notice.

Mayor Wiza said according to the pictures, it appears the area is used quite frequently.

Ald. Morrow **moved**, Ald. Dugan seconded, to affirm the \$100 citation.

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

B. 2608 Church St.

Ald. McComb said in this situation, the owners stated they did not receive the notices.

Ald. Morrow asked if this was \$100 citation.

Ald. Johnson replied it is a \$100 service charge.

Ald. Ryan **moved**, Ald. Morrow seconded, to uphold the \$100 service charge.

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

C. 2808 Soo Marie Ave.

Randy Stroik, 433 W. Trillium Ct, said he planned to create a parking area once the ground thawed. He said he neglected to see in the first notice that he had ten days to appeal.

Ald. Dugan said she was astonished to see paving in people's front yards.

Ald. McComb said in the pictures, it appeared neighbors were also parked on gravel or grass.

Director Ostrowski said the Code Enforcement Officer was sent out to that area when the pictures were submitted. He said the Officer did not find any violations at that time.

Mr. Stroik said he wants fairness for all.

Ald. Dugan said she was surprised more were not cited.

Ald. Ryan said parking on the grass is a widespread problem within the city.

Ald. Ryan **moved**, to uphold the citation.

City Attorney Beveridge clarified that these are not forfeitures, they are inspection charges to help with costs for enforcement. He said the property owner has the opportunity to contact the department and work out an extended time to correct the violation.

Ald. Kneebone said the ordinances are being cleaned up and a procedure is being established for property owners with unique properties.

Ald. Oberstadt said she cannot see why a property owner would want to place their garbage cans in front of the garage door so every time you back the car out of the garage you need to move the cans.

Mr. Stroik said in this situation, the garage has items stored in it so a vehicle is not parked in the garage.

Ald. McComb said she is concerned with the other violations within the same neighborhood.

Ald. Johnson said the traditional neighborhoods need to be examined to see how parking can be accommodated.

Ald. Morrow **moved**, Ald. McComb seconded, to approve the appeal for the charge.

Call for the vote: Ayes – majority; Nays – minority; motion carried.

D. 2801 Jefferson St.

Ald. Morrow **moved**, Ald. Ryan seconded, to affirm the service fee assessment.

Ald. McComb said she was not satisfied with the property owner's excuse.

Ald. Ryan said it appears the area is used often for a parking area.

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

4. License List:

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

B. Renewal Operator's Licenses.

C. Temporary Class "B" / "Class B" (Picnic) License:

- i. St. Joseph Parish, 1709 Wyatt Ave, Stevens Point, for St. Joseph Parish Picnic on June 3, 4 and 5, 2016 at 1709 Wyatt Ave. Licensed operator on premise: Dave Hansen. (Beer and Wine)
- ii. Holy Spirit Parish, 838 Fremont Street, Stevens Point, for Holy Spirit Parish Picnic on July 23 and 24, 2016 at 838 Fremont Street. Licensed operator on premise: Gerald Check. (Beer and Wine)
- iii. Big Brothers Big Sisters of Central Wisconsin, 1000A Division Street, Stevens Point, for Taste of the Town on August 13, 2016 at Pfiﬀner Park. Licensed operator on premise: Stacey Robertson. (Wine Only)
- iv. Stevens Point Area Catholic Schools, 1004 First Street, Stevens Point, for Panacea on September 9, 10 and 11, 2016 at 1301 Maria Drive. Licensed operator on premise: Ken Raflik. (Beer and Wine)

D. "Class A" Liquor and Class "A" Fermented Malt Beverage License – MAA UMIYA Inc., for Stevens Point Liquor, 2800-02 Stanley Street, Stevens Point; Yogesh Patel, agent for license period beginning July 1, 2016.

E. 2016-2017 Retail Alcohol Renewals.

Chief Skibba said the Police Department does not have any issues with these requests.

Ald. Johnson asked how the Police Department evaluates whether the person meets the criteria for a license.

Chief Skibba said a background check is completed to determine if the applicant was truthful and fall within the guidelines to hold the license.

Clerk Moe noted that item 13 – Captain John Parker Room on the 2016-2017 Retail Alcohol Renewals will be pulled this evening.

Ald. Morrow asked how many liquor licenses the City has.

Clerk Moe said after tonight's vote, there will be two liquor licenses available as well as some reserve licenses.

Ald. McComb **moved**, Ald. Dugan seconded, to approve the license list: A. New Operator's (Bartender's) Licenses, B. Renewal Operator's Licenses, C. Temporary Class "B" / "Class B" (Picnic) Licenses, D. "Class A" Liquor and Class "A" Fermented Malt Beverage License – MAA UMIYA Inc. and E. 2016-2017 Retail Alcohol Renewals.

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

5. Ordinance Amendment – Creation of Vice-Chairperson position for Standing Committees (Sect. 2.28 of the RMC).

Clerk Moe said the ordinance amendment simplifies the situation when a chair cannot attend a meeting. He said at the standing committee's first meeting, a Vice-Chairperson would be selected.

Ald. Morrow asked if a Vice-Chair needs to be selected now.

Clerk Moe replied no, the ordinance would first need to be adapted and published.

Ald. McComb **moved**, Ald. Morrow seconded, to approve the Ordinance Amendment – Creation of Vice-Chairperson position for Standing Committees.

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

6. Ordinance Amendment – Creation of a permit for the keeping of chickens, ducks, and rabbits (Sect. 21.16(c) of the RMC).

Ald. McComb asked if the annual fee will be the same as Madison, if the City would require registration with the Department of Agriculture and what would happen if the Humane Society is notified of a violation rather than the Building Inspector.

City Attorney Beveridge said the Humane Society has jurisdiction because they are animals. He said this ordinance establishes rules for the keeping of chickens, ducks and rabbits.

Ald. Johnson asked if it is a state requirement that they register with the Department of Agriculture, Trade and Consumer Protection.

City Attorney Beveridge said the owners would be subject to that requirement whether it is in the ordinance or not.

Ald. McComb asked if the licensing is annual.

Mayor Wiza stated it is annual.

Ald. Morrow said this ordinance is a great idea.

Ald. Ryan asked about adding information on subdivision covenants.

City Attorney Beveridge said restrictive covenants are not something the City enforces.

Ald. McComb asked if we would need to check if someone had a restrictive covenant preventing them from having chickens.

City Attorney Beveridge stated no.

Ald. Shorr asked how the revocation works.

City Attorney Beveridge said the Building Inspector would file a request to the Council for revocation for violations that were observed.

Ald. Kneebone asked if wording could be added that after a certain amount of time after a license is issued that the Inspector checks to make sure the individual is in compliance.

Mayor Wiza said there is no provision. He said the Humane Society would have the authority to do it.

City Attorney Beveridge noted the applicant is required to provide a written description and drawing of the proposed enclosure.

Ald. Johnson questioned if the City Clerk's office should be issuing the permits. She said it makes more sense for the permits to be issued by the Inspection Department.

City Attorney Beveridge said the current language states the City Clerk's office will issue the permits.

Ald. Ryan asked if the Clerk's office is reviewing the description and drawings.

City Attorney Beveridge said the issuance is more of who is signing off on the license.

Mayor Wiza said the Clerk's office is the most appropriate office to apply for the permits.

Ald. McComb asked where they would pay their fee.

Mayor Wiza replied at the Treasurer's office.

Clerk Moe said individuals will come to the Clerk's office to file the application. The Clerk's office would have to notify the Inspection Department and send them to the Treasurer's office to pay. He said the Inspection Department are the ones that will need to do an inspection if there are problems.

Mayor Wiza said all the requests should be in one location.

Ald. Johnson said in Madison, it is all handled through the Inspection Department.

Ald. McComb **moved**, Ald. Morrow seconded, to approve the ordinance amending the Revised Municipal Code for the City of Stevens Point to allow chickens, ducks, and rabbits under the permit conditions.

Ald. Phillips asked if the owner can cross the lot line to slaughter the animals. He also asked if there is a setback for a chicken coop.

Mayor Wiza said there is already an ordinance in place prohibiting the slaughtering of animals in the City.

Director Ostrowski said an accessory structure cannot be closer than 3' to a lot line.

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

7. Adjournment.

Adjournment at 7:34 p.m.