

**CITY OF STEVENS POINT
PUBLIC PROTECTION COMMITTEE MINUTES
Monday, June 13, 2016 – 6:01 P.M.
Lincoln Center, 1519 Water Street**

PRESENT: Alderpersons: Johnson, Dugan, Morrow, Ryan, McComb.

ALSO

PRESENT: Alderpersons: Slowinski, Shorr, Oberstadt, Phillips, Doxtator; City Attorney Beveridge, City Clerk Moe, C/T Ladick, Directors: Ostrowski, Schrader, J. Lemke, Laidlaw; Fire Chief Finn; H.R. Manager Jakusz; Brandi Makuski, Stevens Point City Times; Nate Enwald, P.C. Gazette; Sari Lesk, Stevens Point Journal; Neil Prendergast, Jessica Welch, Brody Welch, Jan Way, Stacey Fredrickson, Paul Burton, Ben Kollock, Katie Kollack, Jessica King, Lars Smith, Mike McHugh, Rick Zinda, Dave Worzalla, Roger Skrzeczkoski, Dan Herbold, Kenny Rozek, Steph Bishop, Anne Sell, Jim Wojlik, John Gardner, Carilyn Lehman, Leroy Lehman, Jim Fairfield, Adam Unger, Adrea Olson, Linda Steltenpohl, Gerry Steltenpohl, Suzan Bayorgeon, Steph Jones.

1. Election of Vice-Chairperson.

Ald. Dugan nominated Ald. McComb for Vice-Chairperson.

There being no further nominations, Chairperson Johnson declared the nominations closed.

Ald. Morrow **moved**, Ald. Dugan seconded, to cast a unanimous ballot for Ald. McComb for Vice-Chair.

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

2. License List:

- A. New Operator's (Bartender's) Licenses.**
- B. Renewal Operator's Licenses.**
- C. Temporary Class "B" / "Class B" (Picnic) License: Portage County Fair/Rosholt Fair Association, P O Box 244, Rosholt, WI, for Jam'n' July on July 23, 2016 at Piffner Park. Licensed operator on premise: Katy Bruni. (Beer only)**

Chief Skibba stated with regard to item 2C, there would be fencing around the events.

Ald. McComb **moved**, Ald. Morrow seconded, to approve the license list for new, renewal and temporary Class "B" license.

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

3. Request to Hold Event/Street Closings:

- A. Association of Downtown Businesses – Annual 4th of July Parade on July 3, 2016 at 2:00 p.m. Request for closure of a section of Main Street and parking restrictions.**
- B. Association of Downtown Businesses – Annual Discover Downtown event on July 15-16, 2016. Request for closure of a section of Main Street and Third Street and parking restrictions.**

C. Justiceworks, Ltd. – Annual Justiceworks Half-Marathon and 5K Run/Walk on September 3, 2016. Request for closure of the two westbound lanes on the Clark Street Bridge for 20 minutes at the beginning of the race.

Chairperson Johnson stated there was a change with the Fourth of July parade. She said ADB is requesting the start time to be moved from 2:00 p.m. to 12:00 noon.

Chief Skibba stated these are annual events and have gone well in the past.

Jan Way, 1203 Wilshire Drive, representing the Justiceworks, Ltd. event stated she was available for questions.

Ald. Ryan **moved**, Ald. McComb seconded, to approve the requests for event/street closings for the Association of Downtown Businesses for July 3, 2016 and July 15-16, 2016 as well as the Justiceworks, Ltd. event for September 3, 2016.

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

**4. Appeal(s) of service charge for property maintenance violation:
A. 908 Second Street**

Steph Jones, 908 Second Street, stated she is here to appeal the violations and ask for extensions so she can secure financial assistance to address the concerns raised by the maintenance violations.

Ms. Jones stated she is an environmental sculpture artist and practices upcycling and sustainability. She added the citations have fueled her creativity.

Ald. Morrow asked if Ms. Jones has spoken with the City about the July 1, 2016 deadline for corrections to the noted citations.

Ms. Jones replied that this is part of her appeal packet. She stated she has started the remediation process and has been looking into WHEDA loans and CAP Services for assistance.

Ms. Jones stated currently the property provides shelter and nourishment to various bird species as well as an opportunity for natural art to occur. She stated the yard waste is a type of gardening called Hugel (Hugelkultur) gardening. Ms. Jones stated her tree is basswood and is a carving tree. She asked to seal it in the fall after the bird fledglings have gone.

Chairperson Johnson asked what was Ms. Jones' ultimate goal for the tree.

Ms. Jones stated the tree would be used for carving an animal(s) face.

Ald. Morrow asked Ms. Jones how much time the remediation would take.

Ms. Jones replied it would probably take another month or two to get financing and the paperwork in order and hire out any needed repairs.

Ald. Dugan stated she appreciates a natural yard and stated Ms. Jones has a small lot with an overabundance of material. She asked if there was a way to consolidate the material under a roof.

Ms. Jones replied she has installed a fence with a studio area where all the material will be stored.

Ald. Morrow asked if it was possible to apply for a loan with the Redevelopment Authority to assist with repairs.

Mayor Wiza stated the Redevelopment Authority does not have anything in place to assist with this.

Ald. McComb stated she was initially shocked by the photos of the property. She added she did go by the property today and felt it looked great. She added the tree in question is actually part of an art project in process and it is lovely.

Chairperson Johnson stated she has driven past the property a lot and has admired the creativity in repurposing old discarded items into something new. She stated she has admired art in many different forms.

Ald. Ryan stated perhaps the items requiring extensions should be handled separately from the other concerns. He stated food waste is a concern especially if it attracts vermin.

Ms. Jones explained Hugelkultur, which is a form of composting and growing plants. She stated the majority of compost is from yardwaste.

Dir. Ostrowski stated he has spoken with Ms. Jones concerning the inspection. He stated they are willing to work with Ms. Jones to allow an extension on the building related issues as it will take time to secure funding and contractors. He stated compost piles are allowed as long as it is compost and not just food scrap. Dir. Ostrowski stated as long as the tree will be preserved and sealed it can remain on the property. He also stated the exposed furniture on the porch is a violation. He suggested if there were to be exceptions to the ordinance, the City should consider an ordinance change. Dir. Ostrowski stated Ms. Jones' property is zoned as B-1 and she is allowed to have an artist studio, but any material on the property must be screened.

Chairperson Johnson stated she felt language changes to the ordinance would be needed to acknowledge those owners who do recycle, upcycle and compost.

Ald. Dugan stated she thought indoor furniture placed outside needs to be regulated.

Chairman Johnson stated inside furniture upcycled for outdoor purposes is creative and perhaps the City needs to consider language in an ordinance that would allow creativity, but certainly recognize that five sofas in a front yard is not creative.

Ald. Ryan stated he would be in favor of special circumstances or exemptions for this but there would need to be very specific and strict language.

Dir. Ostrowski stated upcycling or repurposing of indoor items can become very challenging and often times becomes a gray area where artistic interpretation is concerned. He stated strictly speaking this would be a violation. Dir. Ostrowski stated the purpose is not to regulate

art but to address structural deterioration and ordinance violations. He stated Ms. Jones responded right away to the citations and came in to discuss the situation and ask for an extension. Dir. Ostrowski stated allowing the extensions would not be a problem.

Chairperson Johnson stated testimony from the public will be taken but due to the number of citizens wishing to speak, time will be limited to two minutes.

Carilyn Lehman, 3100 Bush Street, stated she is here to support Ms. Jones and her artistic creativity.

Jim Fairfield, 808 Walker, stated he moved to the area approximately 12 years ago and has appreciated how the Stevens Point community has embraced the arts. He encouraged changes in the ordinances to reflect and allow this type of art.

Andrea Olson, 410 Franklin Street, stated people need to look beyond their initial reaction.

Ann Sell, 1205 Division Street, stated she loves Steph's art work as it is always fun. She stated she is hopeful with the discussion of ordinance changes to continue to see the arts flourish.

Steph Bishop, 2812 Water Street, stated she is an artisan gardener and supports Ms. Jones. She stated she has received citations and wants to know the qualifications of the inspectors.

John Gardner, 1308 Wisconsin Street, stated the orders are for the structural issues occurring at Ms. Jones' property. He stated covering structural issues by classifying it as art is not appropriate.

Ald. Oberstadt, 456 Wadleigh Street, stated she enjoys Ms. Jones' art. She stated future language changes to ordinances should not include defining what is and is not art.

Lars Smith, 709 Fifth Avenue, stated he is here to show support to Ms. Jones and her beautiful yard. He stated her art fuels creativity and excitement in his children.

Paul Burton, 808 Walker Street, stated not all of Ms. Jones' art projects can be completed in a single day; materials are left outside to continue the work later. He stated there needs to be a provision to allow the material to stay in place until the project is completed.

Gerry Steltenpohl, 660 Foxridge Road, stated he applauds the City in considering changing the ordinances and handle these on a case-by-case basis.

Suzan Bayorgeon, 2256 Stanley Street, stated she appreciates the fact that there is willingness to change the ordinances. She states she loves the nesting birds and the yard.

Ald. Dugan stated she does not want to regulate art. She stated serious structural and debris violations have nothing to do with art and need to be addressed. Ald. Dugan stated Ms. Jones' property is very small and it may not provide enough space for her to create her larger projects.

Ald. McComb stated she was originally disturbed by the photos but there has since been progress.

Ald. Morrow stated it was wonderful to see the community support.

Mayor Wiza stated the violations were structural and no one was being singled out. He added progress has been made.

City Attorney Beveridge stated the granting of extensions can be done through the Community Development Department. He added that citations and inspections are for property owners who do not respond.

Chairperson Johnson stated the Committee could endorse a policy that would allow staff to monitor the progress.

Mayor Wiza stated what might be appropriate would be a motion to authorize staff to work with Ms. Jones to comply with addressing the violations.

Chairperson Johnson added that she would like to see an examination of other communities that allow things in the yard that could be considered art.

City Attorney Beveridge stated a classic conflict occurs with art and the law as to when and what violates free speech and expression.

Ald. Dugan **moved**, Ald. Morrow seconded, to authorize staff to work with Ms. Jones to obtain compliance with a time limit at the discretion of City staff.

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

5. **Adjournment.**

The meeting was adjourned at 7:09 p.m.