

REGULAR COUNCIL MEETING

Council Chambers
County-City Building

September 20, 2010
7:00 P.M.

Mayor Andrew J. Halverson, presiding

Roll Call: Present: Ald. Mallison, Suomi, O'Meara, Wiza, Slowinski,
Trzebiatowski, Molski, R. Stroik, Brooks, Moore
Excused: Ald. M. Stroik
Also
Present: City Attorney Molepske, Clerk Moe, Comptroller-
Treasurer Schlice, Directors Schrader, Halverson, Lemke,
Ostrowski; Police Chief Ruder, Assessor Siebers, Assistant
to the Mayor Pazdernik, Kari Yenter, Matt Brown
(Portage County Gazette), B. C. Kowalski (Stevens Point
Journal)

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

Mayor Halverson said it is an honor to have delegates from our sister city in Russia joining the Council meeting this evening.

Mayor Yuriy Aleksandrovich Boyko of Rostov City, Russia, stated he is grateful for the opportunity to visit the City of Stevens Point and to have the opportunity to join the Council proceedings.

3. Consideration of the minutes of the Common Council meeting of August 16, and the Special Common Council meeting of September 13, 2010.

Ald. R. Stroik **moved**, Ald. Moore seconded, approval of the Council minutes of August 16 and the Special Council minutes of September 13, 2010 and place them on file.

Roll Call: 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.

Cathy Dugan, 615 Sommers Street, Stevens Point, WI 54481:
Item #7 – Persons who wish to address the Mayor and Council

Reid Rocheleau, 408 Cedar Street W., Whiting, WI:
Item #7 – Persons who wish to address the Mayor and Council
Item #19 – Public Protection Committee meeting of September 13, 2010

Barb Jacob, 1616 Depot Street, Stevens Point, WI 54481:
Item #7 – Persons who wish to address the Mayor and Council
Item #14 – Finance Committee meeting of September 13, 2010
Item #19 – Public Protection Committee meeting of September 13, 2010

Tim McKeown, 1460 Larry's Drive, Stevens Point, WI 54481:
Item #19 – Public Protection Committee meeting of September 13, 2010

Jami Gebert, 2941 Kozy Street, Stevens Point, WI 54481:
Item #23 – Board of Park Commissioners meeting of September 1, 2010

Lars Smith, 709 Fifth Avenue, Stevens Point, WI 54481:
Item #23 – Board of Park Commissioners meeting of September 1, 2010

Ald. O'Meara asked for a point of order. He asked that item #19 – Consideration of the minutes and actions taken at the Public Protection Committee meeting of September 13, 2010 be moved up on the agenda to between items #12 and 13.

Mayor Halverson asked if there were any objections to moving item #19 up on the agenda. There were no objections.

5. Presentation from the Wisconsin National Guard to the City of Stevens Point for its support of the 32d Infantry Brigade.

Members of the Wisconsin National Guard introduced themselves and gave a brief presentation. They thanked the City of Stevens Point for their support and the tremendous welcome home celebration. Awards were presented to numerous people including Mayor Halverson.

6. Presentation by Suzanne Wade from Water Star Wisconsin recognizing the City's designation as a Bronze Water Star Community.

Suzanne Wade said this program recognizes and honors the City for all the great things the City is doing to protect the water resources. She thanked everyone for their efforts. Ms. Wade presented the City of Stevens Point with a plaque.

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

Cathy Dugan, 615 Sommers Street, announced there will be a program on Thursday, September 30, 2010 on the history of the water supply.

Reid Rocheleau, 408 Cedar Street W., voiced his concerns that there is not a sign recognizing the City of Stevens Point at the dog park and setting the salary for the Mayor.

Barb Jacob, 1616 Depot Street, is concerned with the way the extensions of premises are being handled.

Bob Scovill, 7015 County Road JJ S., stated he is running for the 71st Assembly District. He is a retired Navy chief and business owner who believes in local control.

8. Consideration of minutes and actions taken at the Plan Commission meeting of September 7, 2010.

Ald. Moore moved, Ald. Mallison seconded, to affirm the actions and accept the minutes and place them on file for the Plan Commission meeting of September 7, 2010.

Roll Call: Ayes all.
Nays none. Motion carried.

9. Public Hearing – Ordinance Amendment to Zoning – Rezone 920 Songbird Ln from “R-3” Single and Two Family Residents to “R-4” Multiple Family I Residence District.

The public hearing was declared open by the Mayor.

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

10. Consideration of Ordinance Amendment on the above.

Ald. Slowinski moved, Ald. Moore seconded, approval of the ordinance amendment.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O’Meara, Suomi, Mallison.
Nays: None. Motion carried.

11. Public Hearing – Conditional Use – 817 Clark St. – To Operate a Tavern.

The public hearing was declared open by the Mayor.

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

12. Consideration of Resolution on the above.

Ald. Brooks moved, Ald. Mallison seconded, approval of the resolution.

Ald. R. Stroik said he is not opposed to having another bar in the downtown area but he wants the establishment to be a good neighbor to the neighboring residents. He noted there were not any conditions for the hours of operation in the resolution.

City Attorney Molepske replied the resolution can be amended to include the hours of operation.

O’Meara moved, Ald. Suomi seconded, to amend the resolution to add a clause that the operation is limited to three days per week and if the owner wishes to extend to more than three days a week, they would have to get approval from the Council.

Ald. Wiza asked if the days of operation will be Thursday, Friday and Saturday.

Mayor Halverson said the days of operation were not specified.

The following is the vote on the amendment to the motion:

Roll Call: Ayes: Ald. Mallison, O’Meara, Wiza, Trzebiatowski, R. Stroik.

Nays: Ald. Suomi, Slowinski, Molski, Brooks, Moore.

Ayes – 5. Nays – 5. Tie Vote.

Mayor Halverson voted in the affirmative to break the tie vote.

Motion carried.

The following is the vote on the original motion:

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O’Meara, Suomi, Mallison.

Nays: None. Motion carried.

19. Consideration of the minutes and actions taken at the Public Protection Committee meeting of September 13, 2010.

This agenda item was moved up on the agenda.

Ald. R. Stroik **moved**, Ald. Trzebiatowski seconded, approval of the Public Protection Committee minutes with item 1.G. pulled for further discussion.

Roll Call: Ayes all.
Nays none. Motion carried.

Clerk Moe said after reviewing his documents on file, he found that there might be a discrepancy in the information he presented. He said in 1997, new laws were put into place that limited the number of licenses. The Clerk stated as the population grows by 500, one license can be added to the number of City licenses. He noted there are exceptions to the quota rule such as restaurants with over 300 seats, hotels with over 50 rooms and annexations. The Clerk said the state will estimate the population for the City of Stevens Point in late fall. He said at that time, the City should be eligible for one additional license.

Mayor Halverson said the City of Stevens Point currently has one license and it is likely that the City will receive another license in October. He said the City does not have set guidelines that determine economic feasibility, size of investment, number of employees, future assessments or property tax collection. The Mayor said the City needs guidelines when issuing these licenses in the future.

Tim McKeown, 1460 Larry's Drive, was available for any questions regarding the request of Partner's Pub.

Reid Rocheleau, 408 Cedar Street W., supports issuing this liquor license to Mr. Perez.

Barb Jacob, 1616 Depot Street, also supports issuing the liquor license to Mr. Perez.

Ald. R. Stroik **moved**, Ald. Wiza seconded, approval of granting this license and asked that City staff place on the October Public Protection meeting agenda, a guideline and application process for which the Public Protection Committee can vote up or down as to future guidelines on how we would accept liquor license application in the future.

Ald. Trzebiatowski said he is against issuing this liquor license to this establishment.

Ald. Mallison stated this is a Mexican restaurant that wants to serve margaritas so he needs a liquor license in order to provide these types of drinks.

Ald. Moore asked if this liquor license stays with the address it is issued to.

City Attorney Molepske said the license is issued until June 30, 2011. He said at that time, the Council can determine if they want to renew the license or provide information for non-renewal of the license.

Ald. Moore asked if it would need Council approval to transfer the license to another location.

City Attorney Molepske replied that is correct.

Mayor Halverson noted this is an important decision because this is the last license available. He said we will receive at least one more license; however, that will then be the last license we will have for several years so the City will have to be cautious when issuing these licenses in the future.

Roll Call: Ayes majority.
Nays minority. Motion carried.

13. Consideration of minutes and actions taken at the Personnel Committee meeting of September 13, 2010.

Ald. Molski moved, Ald. Moore seconded, to approve.

Ald. Wiza said he is against refilling the position of Administrative Director because he has not been convinced that this is a needed position.

Roll Call: Ayes majority.
Nays minority. Motion carried.

14. Consideration of minutes and actions taken at the Finance Committee meeting of September 13, 2010.

Barb Jacob, 1616 Depot Street, questioned why funds always go to the downtown area when there are other areas in the City that need money for renovations.

Ald. Mallison noted that the funds will not go towards the square project nor will they be used by the downtown business association for renovations.

Ald. Brooks asked how the money is used downtown.

Sara Robinson, 1225 Main Street, said the majority of the funds are used for business counseling. She said there are also four grants that are offered.

Ald. Brooks **moved**, Ald. Mallison seconded, to accept the minutes and affirm the actions of the Finance Committee meeting.

Roll Call: Ayes: Ald. Mallison, Suomi, O'Meara, Wiza, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.

Nays: None. Motion carried.

15. Consideration of minutes and actions taken at the Board of Public Works meeting of September 13, and the Special Board of Public Works meeting of September 20, 2010.

Clerk Moe read the minutes of the Special Board of Public Works meeting of September 20, 2010.

Ald. O'Meara **moved**, Ald. Moore seconded, to affirm the actions and accept the minutes from the two meetings and place them on file.

Ald. R. Stroik noted that he was not present at the Board of Public Works meeting of September 13, 2010.

Mayor Halverson said it will be noted that Ald. R. Stroik was excused from the meeting.

Ald. Wiza commended the Public Works Committee and Director Lemke for bringing back the brush pick-up.

Mayor Halverson reminded everyone not to set out their brush more than four days before their scheduled pick-up date.

Ald. Moore said the bike paths on North Point Drive and Michigan Avenue will be a great asset.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O'Meara, Suomi, Mallison.

Nays: None. Motion carried.

16. Preliminary Resolution - Installation of Sanitary Sewer; TIF VIII Sanitary Sewer Extension Project #16-10.

Ald. Trzebiatowski **moved**, Ald. Molski seconded, to adopt the preliminary resolution.

Roll Call: Ayes: Ald. Mallison, Suomi, O'Meara, Wiza, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.

Nays: None. Motion carried.

17. Consideration of Ordinance Amendment – Traffic – No Parking on a portion of North Point Drive and to designate a portion of North Point Drive as a bicycle route with a bicycle way.

Ald. O’Meara moved, Ald. Moore seconded, to adopt the ordinance amendment.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O’Meara, Suomi, Mallison.
Nays: None. Motion carried.

18. Consideration of Ordinance Amendment – Traffic – No Parking on a portion of Michigan Avenue North and to designate a portion of Michigan Avenue North as a bicycle route with bicycle lanes.

Ald. Moore moved, Ald. Brooks seconded, to adopt the ordinance amendment.

Roll Call: Ayes: Ald. Mallison, Suomi, O’Meara, Wiza, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

19. Consideration of the minutes and actions taken at the Public Protection Committee meeting of September 13, 2010.

This agenda item was moved up on the agenda.

20. Consideration of minutes and actions taken at the Police and Fire Commission meeting of September 7, 2010.

Ald. Molski moved, Ald. Trzebiatowski seconded, approval of the minutes and actions taken at the Police and Fire Commission meeting of September 7, 2010.

Roll Call: Ayes all.
Nays none. Motion carried.

21. Consideration of Ordinance Amendments – Restated Chapter 3 – Officials, Boards, Employees; Chapter 5 – Police Department and Regulations; and Chapter 6 – Fire Department & Regulations of the RMC.

Ald. R. Stroik moved, Ald. Trzebiatowski seconded, to adopt the ordinance amendments.

Ald. Wiza asked what this is.

City Attorney Molepske said it is a restatement of some rules and regulations of the departments.

Ald. Wiza asked what changes were made.

City Attorney Molepske said they were included in the Police and Fire Commission packets.

Ald. Wiza asked what is the purpose of restating the chapters.

City Attorney Molepske said they were promulgated to save costs for publication. He said the City Clerk had the ordinances on file for the past 30 days.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O'Meara, Suomi, Mallison.
Nays: None. Motion carried.

22. Consideration of minutes and actions taken at the Board of Water & Sewage Commissioners meeting of September 13, 2010.

Ald. O'Meara moved, Ald. Slowinski seconded, to place the minutes on file and affirm the actions of the Board of Water & Sewage Commissioners.

Ald. Moore noted there was a typo on the first page of the minutes. He said it should be biosolids not bioslids.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, Wiza, O'Meara, Suomi, Mallison.
Nays: None. Motion carried.

23. Consideration of minutes and actions taken at the Board of Park Commissioners meeting of September 1, 2010.

Jami Gebert, 2941 Kozy Street, is available for any questions on the skate park.

Lars Smith, 709 Fifth Avenue, is available for any questions on the skate park.

Ald. Brooks moved, Ald. O'Meara seconded, to accept the minutes and affirm the actions taken at the Board of Park Commissioners meeting of September 1, 2010.

Roll Call: Ayes all.
Nays none. Motion carried.

24. Consideration of the Statutory Monthly Financial Report of the Comptroller-Treasurer.

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

Roll Call: Ayes all.
Nays none. Motion carried.

25. Adjournment.

Adjournment at 8:37 p.m.