

City of Stevens Point Meeting Minutes

Finance Committee

Monday, October 12, 2009, 6:15 p.m.

Lincoln Center, 1519 Water St.

Present: Alderperson Moore, Molski, Walther, Stroik and Mallison

Also Present: C/T Schlice; Mayor Halverson; City Attorney Molepske; Clerk Moe; Directors Gardner, Schrader, Morris; Interim Director Saunders; Assessor Siebers; Personnel Specialist Jakusz; Chief Ruder; Deputy C/T Freeberg; Ald. Wiza, Slowinski, Trzebiatowski, Brooks, O'Meara, Mary Stroik; Joel Lemke; Gene Kemmeter; Bob Woehr; Susie Eberhead; Sue Hall; Jim Brezinski; Officer Carlson; William Nagle; Mike Morrissey; Brenda Thomas; Jerry Hild; Mary Ann Laszewski; Reid Rocheleau; Dane Pasker; Robert Mitchell

Index of these Minutes: Discussion and possible action on the following:

1. Request for Refund of Donation to Dog Park Fund - Rocheleau and Suchon.
2. Approval of Payment of Claims.
3. Adjournment.

1. REQUEST FOR REFUND OF DONATION TO DOG PARK FUND - ROCHELEAU AND SUCHON. See Request

C/T Schlice stated the reason this is on the agenda is because he does not have the authority to return the funds.

Alderman Moore asked if everyone received the letter drafted by City Attorney Molepske (attached).

Reid Rocheleau, 408 Cedar Street, Whiting, stated he did not agree with the City Attorney Molepske's letter and stated he will be turning this over to his attorneys to settle in court. He stated he donated \$1100 under certain implied conditions as did Mr. Suchon, whom he feels an obligation to because of what is going on regarding himself and Mr. Suchon. He stated Mr. Suchon is a good man and he is being maltreated. He questioned why himself and Mr. Suchon's name appeared on the agenda and stated he believes it is an attempt to discredit them and to serve as a warning to anyone else who wants their money returned, because this will happen to them. On September 21, 2009 at the Common Council meeting, he objected to the naming rights and he also stated he would be requesting his money back, which was not in the minutes. The Mayor agreed that he could get his money returned during that meeting and Mr. Molepske was sitting next to him. On September 24, 2009, Mr. Suchon and himself submitted the forms asking to have their donated money returned. The following Saturday, there was a Dog Park Committee meeting in which all ten members were present. He stated that Mr. Wiza made a motion to have him removed from the Committee and one of the members stated that they understood why he was upset because they did agree in the beginning to not allow naming rights, but they now changed their minds. He stated he was voted off the Committee by a vote of 7 - 3. He stated that he now has no obligation to the Committee and he cannot fulfill the obligation to the people who were expecting a lot of the things that were put in the brochure, which one of them was that we were not allowing naming rights. He stated that Mr. Suchon has been badgered to not take his money out by the Committee members and other people and now they are trying to smear him. He stated that Mr. Suchon has honor, conviction and courage to stand up for what is right and that he told him that this was going to be a Dog Park by the people, for the people and named for the people, the people of Stevens Point, the people who own the property. He stated that Mr. Suchon also offered to build a kiosk shelter for that park for several thousand dollars but he believes that is off the table at this time. He stated that he believes that the Committee wants to allow some glory seekers to have their name in lights at the little guy's expense. He stated he raised a lot of money for that Committee and feels that there is a real problem because the money was collected under false pretences and that public needs to know because money is still coming in. He feels that someone can come in and get the park named after them for several thousand dollars and he feels that is not a people's park. If the park is named after someone, he feels that the money needs to be returned to everyone else who donated because that is not how it was suppose to be done. A lot of people want their money back but he feels they do not want the exposure that he is willing to face. There are members here that support the idea of giving someone naming rights and if they get up after him to speak, he guarantees when it goes to court, if necessary, he will subpoena those people and then we will get the truth. He suggests giving the money back.

Mike Wiza, 717 Franklin Street, member of the Stevens Point Dog Park Fundraising Committee, stated there is unfortunate confusion on several aspects of this. He read the following points to the Committee. He stated that when the Committee first started raising funds for the Dog Park, Mr. Rocheleau asked to be part of the group, which they agreed. He was very ambitious and seemed to really support the Dog Park as he did a lot of leg work and participated in a lot of fundraising events, which was appreciated. The group has always been very democratic and they vote on almost every decision that needed to be made, including sign designs, button designs, participation in events and so on. The votes were not always unanimous, but they all abided with the majority. While some had different ideas on how to do some of the things, they always put away personal differences and did what was in the best interest for a community dog park. The group discovered that while the Parks Department had a naming policy, as to not be confused with naming rights, they did not have one for the rest of the City. Since the approved Dog Park site was not Park property, if they wanted to officially call it anything, they needed the City to adopt some sort of policy. He stated that Mr. Rocheleau was vocally against bringing the policy to Council stating the Park already had a name, which of course it did not have an official name because the City had not adopted any policy for naming. He stated that Reid voted against bringing the policy to Council. The Committee voted and he was defeated with the large majority voting in favor and the Council adopted the Parks guidelines for the naming policy. Mr. Rocheleau was upset by this which prompted him to threaten to take back his donations and stated that the group previously voted not to name the park. The minutes were checked and they found no record of such vote being taken. A few days later, the Treasurer's Office received a request from Mr. Rocheleau in the form of a form letter, which is in the packet, asking for his donation back and they also found out that he had been giving these forms out to everybody who had donated money in an attempt to derail the fundraising effort. He stated he has two points to Mr. Rocheleau's form letter that he has been handing out, first being, it did not have a name as the City had no naming policy in place at the time, so to say that it had a name already was false. Second, Mr. Rocheleau seems to be the only person who remembers this original position on naming. At the next meeting the group asked Mr. Rocheleau about his actions and he confirmed that he was taking his money back and so were others. After trying to discuss as rationally as they could with Mr. Rocheleau, it was determined that his motives were not conducive to achieving the group's goal of creating a dog park in the City, a motion was made, seconded and voted on to remove Mr. Rocheleau from the fundraising group, the vote was overwhelming in favor of asking him to leave the group. He stated that Mr. Rocheleau can be unreasonable at times and taking back a charitable donation and coercing others do the same using less than complete information, is about as immature as it gets. Mr. Rocheleau no longer represents the Dog Park Fundraising Committee or any aspect of the official group and does not have the authority to speak or act on their behalf. He stated there is an opinion from the City Attorney, however, he conveys that it is the wishes of the Dog Park Committee that if he can get his money back, they prefer that he gets his money back. He also stated that since Mr. Rocheleau has been kicked out of the group, the donations have increased by almost a thousand dollars.

Sue Hall, 200 Pine Bluff Road, Dog Park Committee member, stated all of the members of the Dog Park Committee are honorable citizens and are volunteers, which is a very important aspect to remember. We came together to try to do something for the community that is needed and we are very happy that the City has offered the land for this use. She stated that they are soliciting funds for this and apologizes for the problems that have arisen. At this point, we do not have a name for the Dog Park.

Ald. Stroik wanted clarification because when it went to Council, it was just to set a policy for naming. There was nothing in the works and there was nothing that said we would not, at some point, name it Stevens Point Dog Park. He stated that the Council would have been smart enough that if 90% of the funds were raised and if someone came in with the last two thousand dollars that we would not have named it for that last donation that put us over the top, but if somebody makes a significant contribution, we may consider it. It was just the naming policy to be able to name it, so there is no conspiracy out there that it is going to be some business names dog park, at this point, unless they would step forward in the future.

Mayor Halverson stated they would have to submit a proposal.

Ald. Stroik questioned City Attorney Molepske that even though there is no precedence for us to give it back, if the Dog Park Committee recommends that we return the money, can we do that.

City Attorney Molepske stated that his opinion is that it is a donation for charitable purposes, which was operated through the City using the City's tax number and the Comptroller has the money in trust. The gift is made and the statute is as he indicated in his letter. We have a gift giver and a recipient and unfortunately, in this case, we are different than the average because we are a governmental organization, which is run by its charter, statutes and the ordinances. He stated that Mr. Suchon gave his donation with no strings attached, Mr. Rocheleau had a restriction on his check stating "conditioned upon passage of 4-20-09 increased fenced area." He stated that it was his understanding that the condition relating to the enlargement of the dog park areas were met on April 20, 2009 when the City Council adopted a recommendation to the Board of Public Works to enlarge the park size, so the condition contained on Mr. Rocheleau's check has been met. He also stated that the way the letter was drafted, it was in the form of a claim, which is why the names were listed on the agenda.

Motion made by Ald. Stroik, seconded by Ald. Walther to deny the request for the refund of donation to dog park fund for both Rocheleau and Suchon.

Ald. Mallison commented that when we have people that have been to our meetings in the past and they have been belligerent and disruptive, perhaps, even under volunteer status, that in the future, we watch who gets on these committees.

Bob Woehr, 727 Second Street, questioned if it was the Stevens Point Dog Park or if it was the Stevens Point Dog Exercise Area. He recalls several months ago that the Mayor stated it was not a park, it was an exercise area.

Mayor Halverson stated the reason the phrase Leashless Dog Exercise Area has been used to define that general parameter of ground that dogs may run leashless on, at some point, is because we are not dedicating that as park land. When you speak of the Stevens Point Dog Park, you are really saying that with an implied title of public land that actually is not a park, it's a park with a small "p" is the best way to describe that. The land is owned by the City of Stevens Point in trust and controlled by the Board of Public Works and that is exactly why Mr. Wiza and the Dog Park Committee brought to the Board and Council a naming policy that we would look at from the Parks perspective. How we would name it and what we would name it in the future and at some point in time, that plot of ground is going to have to be recognized as something. He stated that he believes that what the reasoning was is that implying that it was not dedicated park land, knowing primarily because of the Wastewater Treatment Plant expansion and other needs well into the future, which they have always been very upfront about that, which could be ten to fifteen to twenty years into the future. He stated that having a wonderful dog park for ten to twenty years is better than not having one at all. He stated Leashless Dog Exercise Area because it is not dedicated Park land and the Board of Public Works will eventually made a decision on what it will be called because the Council has directed them to use the Parks guidelines to name it.

Ayes: All Nays: None Motion carried.

## 2. APPROVAL OF PAYMENT OF CLAIMS. See Claims

Motion made by Ald. Molski, seconded by Ald. Mallison to approve the payment of claims in the amount of \$1,214,658.86.

Ayes: All Nays: None Motion carried.

Adjournment at 6:42 P.M.

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