

## Meeting Minutes

### Regular City Council Meeting

November 17, 2008, 7:00 p.m.

Council Chambers, County-City Building

Mayor Andrew Halverson, presiding  
Roll Call: Ald. Myers, Walther, Hanson, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore  
Also Present: City Attorney Molepske, City Clerk Moe, Comptroller/Treasurer Schlice, Directors Gardner, Schrader, Euclide, Halverson; Police Chief Morris, Interim Fire Chief Zinda, Assessor Siebers, Mayoral Assistant Pazdernik, Kari Yenter, Gene Kemmeter (Portage County Gazette), Meredith Thorn (Stevens Point Journal)

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23. Consideration of Ordinance Amendment - Fire Department and Regulations - Creation of Section 6.09 - Frequency of Inspection.
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25. Mayoral Appointments: Sustainability Advisory Commission - Amy Heart, 2132 McCulloch St.; George Rogers, 1032 Ridge Rd; Paul Adamski, 3117 Della St.; William Berry, 1973 Strongs Ave.; Eric Olson, 1317 Wisconsin St.
26. Adjournment.

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

Mayor Halverson announced the new Airport Manager will be Joseph Wheeler from Greenville, Mississippi. He also announced the process of looking for a new Director of Public Works continues to move forward. The Mayor stated the City of Stevens Point Budget meeting will be held on December 3, 2008.

Mayor Halverson stated all material relating to the mall concept, memorandum of understanding with Dial Corporation, proposed apartment complex on the Lullabye property and the conditional use hearing relating to the proposed apartments were pulled from the agenda. He said he did this after the overwhelming response from the public that said more time is needed on all of these topics. The Mayor said at some point, these may come back in the same form or a very different form but not until a great deal of analysis and action is taken to look at alternatives. He said the meeting at the mall was a wonderful example of community participation in their government. The Mayor stated the City will start an earlier release of all documents relating to City meetings.

3. Consideration of the minutes of the Regular Common Council meeting of October 20, 2008.

Ald. Stroik moved, Ald. Moore seconded, approval of the regular Common Council minutes of October 20, 2008.

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.

David Plaisance, 3241 Nicolet Ct., Stevens Point, WI 54481:

Item #5 - Persons who wish to address Mayor and Council

Paul Wachowiak, 1620 Meadow View Lane, Stevens Point, WI 54481:

Item #5 - Persons who wish to address Mayor and Council

Daryl Kurtenbach, 5282 Airport Rd, Stevens Point, WI 54481:

Item #5 - Persons who wish to address Mayor and Council

Bob Woehr, 727 Second Street, Stevens Point, WI 54481:

Item #5 - Persons who wish to address Mayor and Council  
Item #6 - Jt. Plan Commission/Common Council/Community Development Authority meeting  
Item #17 - Board of Public Works meeting of November 10, 2008  
Item #20 - Finance Committee meeting of November 10, 2008  
Item #25 - Mayoral Appointments

Henry Korger, 3200 Water Street, Stevens Point, WI 54481:  
Item #5 - Persons who wish to address Mayor and Council

Reid Rocheleau, 408 Cedar Street, Whiting:  
Item #5 - Persons who wish to address Mayor and Council  
Item #6 - Jt. Plan Commission/Common Council/Community Development Authority meeting

Mildred Neville, 1709 Jefferson Street, Stevens Point, WI 54481:  
Item #5 - Persons who wish to address Mayor and Council

Mary Ann Laszewski, 1209 Wisconsin Street, Stevens Point, WI 54481:  
Item #5 - Persons who wish to address Mayor and Council  
Item #6 - Jt. Plan Commission/Common Council/Community Development Authority meeting  
Item #17 - Board of Public Works meeting of November 10, 2008

Amy Eddy, 2324 Eagle Summit, Stevens Point, WI 54481:  
Item #5 - Persons who wish to address Mayor and Council

Rich Sommer, 4224 Janick Circle, Stevens Point, WI 54481:  
Item #5 - Persons who wish to address Mayor and Council

Ald. Trzebiatowski:  
Item #5 - Persons who wish to address Mayor and Council

Chris and Jan Neuwirth, 1649 Clark Street, Stevens Point, WI 54481:  
Item #6 - Jt. Plan Commission/Common Council/Community Development Authority meeting

Steve Chizzo, 2525 Prais Street, Stevens Point, WI 54481:  
Item #9 - Request to erect a 180' telecommunications tower

Mike Schultz, Stevens Point Police Officers Organization:  
Item #22 - Police and Fire Commission meeting of October 28, 2008

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

David Plaisance, 3241 Nicolet Ct., is concerned that developers' agreements have been approved with only verbal promises and no final copy of the agreement to review. He voiced his concerns on how the development at the former Lullabye site is being handled.

Paul Wachowiak, 1620 Meadow View Lane, feels the earlier availability of the agendas is a fantastic idea. He also asked that the agendas and supporting documents be available on the website.

Daryl Kurtenbach, 5282 Airport Rd, thanked the Mayor and staff for removing the items relating to the mall and Lullabye property development from this evening's agenda. He is confident this will provide more options and solutions for a great plan.

Bob Woehr, 727 Second Street, applauded the Mayor for his comments and actions regarding tonight's agenda items. He is concerned with the lack of transparency within City government. Mr. Woehr said it is unfortunate a Stevens Point Police Officer has to sit at the meetings to keep decorum. He said the officer would have better use out on the street.

Henry Korger, 3200 Water Street, is concerned with the number of apartments being developed. He donated a generous gift of \$500 for the City to use for Christmas street decorations.

Reid Rocheleau, 408 Cedar Street, voiced his concerns on removing Christmas decorations from the budget, cutting employees' hours and benefits. He stated the City also needs a policy on nepotism. Mr. Rocheleau was impressed with the actions of the Council members at the meeting on the mall.

Mildred Neville, 1709 Jefferson Street, was proud to be part of the meeting at the mall. She voiced her concerns on developing apartments on the Lullabye property.

Mary Ann Laszewski, 1209 Wisconsin Street, feels it will only be a matter of time before this proposal or another multi-family request will come before the Council. She voiced her concerns on the City not naming the appraiser, apartment vacancies and problems with overbuilding.

Amy Eddy, 2324 Eagle Summit, supports the reasons for removing the redevelopment of the mall from the agenda. She requested that the Children's Museum be included in any task force for committees that are formed by the Mayor or Council to work on the redevelopment design and the Council to consider an assurance to them that the Children's Museum will be part of the downtown revitalization so they can continue with their plans. Ms. Eddy asked for a resolution supporting their request.

Rich Sommer, 4224 Janick Circle, thanked the Mayor for removing the items from tonight's meeting. He hopes the City does not end up with another \$3 to \$4 million project that is too big to fail. Mr. Sommer donated a gift of money for the City's Christmas decorations.

Ald. Trzebiatowski noted some of the Veteran's Day events that took place in our community. He gave a special recognition to the students of McDill School who took part in the events.

Ald. Stroik commented on the continued negative comments made by Mr. Rocheleau during the meetings.

6. Consideration of minutes and actions taken at the Joint Plan Commission/Common Council/Community Development Authority meeting of November 3, 2008.

Jan Neuwirth, 1649 Clark Street, is requesting to allow an additional 250' of structure that was added to one of their garages. She stated they live in a large old house which is hard to heat. Mrs. Neuwirth said the additional structure will be used to store wood to use in their fireplaces to help heat the home.

Chris Neuwirth, 1649 Clark Street, said this is a permanent structure to store firewood. He said the reason for this structure is to allow the wood to get air so they can use the wood to heat their home.

Bob Woehr, 727 Second Street, suggested pulling items #7 and #8 from the Joint Plan Commission/Common Council/Community Development Authority meeting. He also suggested the idea of moving City Hall by the Parks Department, move Mid-State Technical downtown and the County could use the vacated space at the Courthouse.

Reid Rocheleau, 408 Cedar Street, thanked Ald. Slowinski for asking what the Council was doing at this meeting. He believes the Mayor was planning on pushing everything through that night.

Mary Ann Laszewski, 1209 Wisconsin Street, encouraged others to participate in government meetings. She suggested moving the Council meetings to the Pinery Room at the Library because this setting encourages participation from the public.

Ald. Heart requested that a resolution or statement on behalf of the Children's Museum be placed on the December Council agenda.

City Attorney Molepske said the Plan Commission makes recommendations but they cannot approve projects.

Ald. Wiza moved, Ald. Stroik seconded, approval of the minutes and actions taken at the Joint Plan Commission/Common Council/Community Development Authority meeting of November 3, 2008, with item #6 pulled for further discussion.

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

Ald. Wiza said this is a large lot and screened well from most viewpoints. He believes this situation will work with some additional screening facing Division Street.

Ald. Wiza moved, Ald. Stroik seconded, to have staff and the City Attorney come up with exceptions for the square footage minimum relating to lots based on certain parameters that would be able to be applied objectively in determining each of the cases on a case by case basis.

Mayor Halverson said the Council must be careful that we are not focusing on this as an individual relief from a certain requirement. He said the amendment to the building code would create an exception that would be citywide.

Ald. Wiza suggested making this as a conditional use that could be reviewed on a case by case basis.

Mayor Halverson clarified that the alderman would like this to be a process for any structure over 900 square feet on any lot giving certain parameters that could be established citywide.

Ald. Wiza suggested adding a conditional use clause rather than changing the entire ordinance.

Ald. Hanson does not want to see the structure removed and have a tarped pile of wood in the yard. He noted there is adequate space for the structure.

Director Gardner said part of the reason it is before the Council is because there is already a 1200 square foot accessory building on the site.

Mayor Halverson said a more appropriate motion would be to have staff create a process to use to determine exceptions for these cases and return it back to the Plan Commission for approval.

Ald. Wiza stated things have changed and it is time to look at this ordinance. He suggested allowing the size of an accessory building as a certain percentage of the lot size.

Ald. Myers does not have a problem with this situation but it bothers him that it has to be a citywide change.

Mayor Halverson said there are specific statutory requirements and a very specific three step process for issuing a variance. He said unfortunately, self-inflicted hardship is not one of them so this is the only way it could be brought forth.

Ald. Stroik asked if this could be completed and used as a model for the ordinance.

Mayor Halverson replied, no.

Ald. Stroik asked if it would be an automatic acceptance for this situation if the ordinance amendment is approved.

Mayor Halverson said it would not necessarily be an automatic acceptance. He said it is a process that would be created to allow for an objective reasoning to be applied to variables that are yet to be determined.

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

7. Public Hearing - Conditional Use - 1201 North Point Dr. - Request to construct an addition to the field house.

The public hearing was declared open by the Mayor.

Cathy Dugan, 615 Sommers Street, asked if the construction has already begun.

Mayor Halverson replied only the foundation and footings which was allowed prior to the conditional use approval.

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

8. Consideration of Resolution on the above.

Ald. Stroik moved, Ald. Walther seconded, approval of the resolution allowing the increased building at 1201 North Point Drive.

Roll Call: Ayes: Ald. Myers, Walther, Hanson, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.  
Nays: None. Motion carried.

9. Public Hearing - Conditional Use - Goerke Park - Request to erect a 180' telecommunications tower.

The public hearing was declared open by the Mayor.

Steve Chizzo, 2525 Prais Street, said the information presented at the Plan Commission was vague. He said the location of the tower presents a problem for future parking. Mr. Chizzo also believes there should be shielding in place for the lights on the tower.

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

10. Consideration of Resolution on the above.

Ald. Trzebiatowski moved, Ald. Brooks seconded, to approve the construction of the communications tower at Goerke Park.

Ald. Wiza asked if the tower will be located close to the Parks and Recreation building.

Mayor Halverson said it will be centrally located close to the pathway that comes into the western side of Goerke Park.

Ald. Walther asked the Police Chief to speak on the urgency for this project.

Chief Morris noted this site is over 400' from any residential structure. He said it is a self-standing type tower with a height high enough for voice radio coverage for the current city boundaries and growth to the east. The Chief said the base is similar to other existing towers. He also noted this is not a practical place for parking.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Hanson, Walther, Myers.  
Nays: None. Motion carried.

11. Consideration of Resolution - Granting exception from Airport Height Overlay District requirements to allow construction of telecommunications tower at Goerke Park.

Ald. Brooks moved, Ald. Moore seconded, approval of resolution granting exception from Airport Height Overlay District requirements to allow construction of telecommunications tower at Goerke Park.

Roll Call: Ayes: Ald. Myers, Walther, Hanson, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.  
Nays: None. Motion carried.

12. Public Hearing - Rezone 608 Portage Street from "R-5" Multiple Family II to "R-4" Multiple Family I.

The public hearing was declared open by the Mayor.

Cathy Dugan, 615 Sommers Street, said the original recommendation was to down-zone seven homes in this area. She does not believe there are current land use plans for redevelopment of this area. Ms. Dugan agrees with the down-zoning but hopes the new house will fit the character for this area.

Bob Woehr, 727 Second Street, encouraged the Council to look at the zoning for the entire north side of the city. He said the neighbors objected to having their properties down-zoned.

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

13. Consideration of Ordinance Amendment on the above.

Ald. Wiza moved, Ald. Slowinski seconded, approval of the rezoning of 608 Portage Street from "R-5" Multiple Family II to "R-4" Multiple Family I and direct Director Gardner to look into the gray area.

Ald. Stroik noted if they vote yes to this then the City should be looking to down-zone this area.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Hanson, Walther, Myers.  
Nays: None. Motion carried.

14. Consideration of Resolution - Authorizing the City's Participation in Forming a Central Wisconsin Community Development Block Grant.

Ald. Molski moved, Ald. Hanson seconded, approval of the consideration of the resolution authorizing the City's participation in forming a Central Wisconsin Community Development Block Grant.

Ald. Brooks would like clarification on authorizing the Mayor to sign and execute all necessary documentation if it would require any Council approval.

Mayor Halverson replied no. He said it would be solely the decision by the CDA for loans under \$200,000 and for loans more than \$200,000 it would go to the regional committee level.

Ald. Brooks would like to see equal opportunities for the City from these loans.

Mayor Halverson said the City will get as many opportunities as it creates for itself.

Roll Call: Ayes: Ald. Myers, Walther, Hanson, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.  
Nays: None. Motion carried.

15. Consideration of Resolution - Supporting the Advancement of Wisconsin's Vision for Energy Independence.

Ald. Brooks moved, Ald. Heart seconded, approval of the resolution supporting the Advancement of Wisconsin's Vision for Energy Independence with the amendment that transportation fuels be changed to energy sources.

Ald. Wiza asked if the 25% is of the current volume of fuel.

Mayor Halverson said the City wants to reduce fuel and electricity dependence by 25%.

Ald. Wiza clarified that all of today's fuels will be reduced by 25% by 2025.

Mayor Halverson said that is the goal.

Ald. Brooks noted that gas is one of the largest parts of the budget.

Roll Call: Ayes: Ald. Myers, Walther, Hanson, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.  
Nays: None. Motion carried.

16. Consideration of the minutes and actions taken at the Public Protection Committee meeting of November 10, 2008.

Ald. Stroik moved, Ald. Trzebiatowski seconded, approval of placing the minutes on file and affirming the actions at the Public Protection Committee meeting of November 10, 2008.

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

17. Consideration of minutes and actions taken at the Board of Public Works meeting of November 10, 2008.

Bob Woehr, 727 Second Street, asked if alderpersons are allowed to submit projects for budgeting.

Mayor Halverson said they can.

Mary Ann Laszewski, 1209 Wisconsin Street, finds the new garbage containers more efficient; however the citizens need to become aware of the ordinance that does not permit the containers to be stored in the front of their properties.

Ald. Walther moved, Ald. Myers seconded, to approve the minutes and affirm the actions of the Board of Public Works meeting of November 10, 2008.

Ald. Hanson would like to know where the project that did not get funded ranked.

Director Euclide stated he did not find out what the ranking was. He said it can be reapplied for on a bi-annual process.

Ald. Stroik asked if it is an ordinance violation if the garbage cans are stored on the front driveway but they are well off the right-of-way.

Mayor Halverson believes they must be stored on the side of the house.

Director Gardner will check the wording of the ordinance and contact Ald. Stroik with the specifics.

Ald. Stroik said some of the property owners will have to shovel their grass in order to store the bins.

Director Gardner said nothing has changed, they still cannot be stored between the street and house.

Ald. Trzebiatowski is disappointed with the situation on Kingfisher Drive.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Hanson, Walther, Myers.  
Nays: None. Motion carried.

18. Consideration of minutes and actions taken at the Personnel Committee meeting of November 10, 2008.

Ald. Hanson moved, Ald. Moore seconded, approval of the minutes and actions taken at the Personnel Committee meeting of November 10, 2008.

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

19. Consideration of Ratification of 2009-2010 Tentative Agreements with:

- Teamsters Union Local 662 (Police Officers)
- AFSCME Local 348 (Clerical & Related)
- AFSCME Local 309 (Transit)
- Teamsters Union Local 662 (Water & Wastewater)
- AFSCME Local 309 (Streets)

Ald. Molski moved, Ald. Hanson seconded, to ratify the 2009-2010 Tentative Agreements with Teamsters Union Local 662 (Police Officers), AFSCME Local 348 (Clerical & Related), AFSCME Local 309 (Transit), Teamsters Union Local 662 (Water & Wastewater) and AFSCME Local 309 (Streets).

Roll Call: Ayes: Ald. Walther, Hanson, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.

Nays: None.

Ayes - 10. Nays - 0. Ald. Myers was not in the room at the time of the vote. Motion carried.

20. Consideration of minutes and actions taken at the Finance Committee meeting of November 10, 2008.

Bob Woehr, 727 Second Street, suggested approving the minutes with the exception of items #3 and #4.

Ald. Molski moved, Ald. Stroik seconded, to pull items #3 and #4 and approve the minutes and actions of the balance of the Finance Committee minutes.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Hanson, Walther, Myers.

Nays: None. Motion carried.

Ald. Molski moved, Ald. Hanson seconded, to postpone action on items #3 and #4 to a later date.

Roll Call: Ayes: Ald. Myers, Walther, Hanson, Wiza, Heart, Slowinski, Trzebiatowski, Molski, Stroik, Brooks, Moore.

Nays: None. Motion carried.

21. Consideration of minutes and actions taken at the Board of Water & Sewage Commissioners meeting of November 10, 2008.

Ald. Slowinski moved, Ald. Myers seconded, approval of the minutes and actions taken at the Board of Water and Sewage Commissioners meeting of November 10, 2008.

Roll Call: Ayes all.

Nays none. Motion carried.

22. Consideration of minutes and actions taken at the Police and Fire Commission meeting of October 28, 2008.

Ald. Stroik moved, Ald. Walther seconded, approval of the minutes.

Mike Schultz, Stevens Point Police Officers Organization, said the union members are concerned regarding the City's proposal to cut two sworn officer positions. He said if the retirements are not received, this will put their union members in jeopardy.

Ald. Wiza stated that if the two anticipated retirees do not happen, it is his understanding that they would be given the option to take a demotion and this would leave the two least senior people being eliminated.

Mayor Halverson said that is correct.

Ald. Wiza noted that one of those positions was funded through a government grant through 2009. He asked what will happen to that position if that is one of the positions that is eliminated. The alderperson asked if the grant will have to be repaid and if so, some of the savings anticipated will be reduced. He stated that the people on the top of the "food chain" make substantially more money than the people at the bottom which will also reduce the savings.

Mayor Halverson said the same amount of money would be recouped because the positions eliminated are positions that have a set salary. He said a Captain and a Lieutenant position will be eliminated as well as the salary for those positions.

Ald. Trzebiatowski asked if the people can return to the union after being promoted to management positions.

Mayor Halverson replied, yes.

Ald. Wiza asked if they will carry their same tenure and benefits.

Mayor Halverson said the time with the City will remain the same. He said the benefit calculation of wages and fringes will be recalculated at the lower salary if they go down in ranks. The Mayor stated they will not be making the same salary when or if they go down a rank.

Ald. Wiza wanted to know if their vacation, sick days, etc. will remain the same.

Mayor Halverson said those are based on time with the City. He said they would hold on to that right.

City Attorney Molepske said generally that is the way it works but he did not look at the contract.

Mayor Halverson said the City Attorney will review the contract and have it ready for the December 3, 2008 meeting.

Ald. Wiza would like to see the facts with every situation taken into consideration.

Roll Call: Ayes all.

Nays none. Motion carried.

23. Consideration of Ordinance Amendment - Fire Department and Regulations - Creation of Section 6.09 - Frequency of Inspection.

Ald. Slowinski moved, Ald. Stroik seconded, approval of the ordinance amendment - Fire Department and Regulations - Creation of Section 6.09 - Frequency of Inspections.

Roll Call: Ayes: Ald. Moore, Brooks, Stroik, Molski, Trzebiatowski, Slowinski, Heart, Wiza, Hanson, Walther, Myers.  
Nays: None. Motion carried.

24. Consideration of the statutory monthly financial report of the Comptroller-Treasurer for September 2008.

Ald. Molski moved, Ald. Trzebiatowski seconded, to accept the statutory monthly financial report of the Comptroller-Treasurer and place it on file.

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

25. Mayoral Appointments:

Sustainability Advisory Commission - Amy Heart, 2132 McCulloch St.; George Rogers, 1032 Ridge Rd; Paul Adamski, 3117 Della St.; William Berry, 1973 Strong's Ave.; Eric Olson, 1317 Wisconsin St.

Bob Woehr, 727 Second Street, has concerns with some of the Mayoral appointments. He encouraged the Council and Mayor to closely look at who is being appointed to the committees.

Ald. Trzebiatowski noted there is no time frame for the appointments.

City Attorney Molepske said the resolution that created the task force was not specific on the terms. He said a term could be added tonight or they could have indefinite terms.

Ald. Trzebiatowski moved, Ald. Wiza seconded, approval of the Mayoral appointments with two year terms.

Ald. Stroik asked if Ms. Heart is a representative of the Council or a private citizen to this commission.

Mayor Halverson wanted a member of the Council appointed to this commission; however, the resolution does not specify it.

Amended Motion:

Ald. Trzebiatowski moved, Ald. Wiza seconded, to approve the appointments to Sustainability Advisory Commission for a two year period to include one of the five members being an alderperson.

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

26. Adjournment.

Adjournment at 9:22 p.m.

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