

Meeting Minutes

Regular City Council Meeting

June 19, 2006, 7:00 P.M.

Council Chambers, County-City Building

Mayor Gary W. Wescott, presiding

Roll Call: Present: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Slowinski, Trzebiatowski, Molski, Stroik, Barber, Moore

Also Present: City Attorney Molepske, City Clerk Moe, Comptroller/Treasurer Schlice, Directors Gardner, Schrader, Halverson, Euclide; Police Chief Morris, Fire Chief Barnes, Assessor Kuehn, Transit Manager Lemke, Kari Yenter, Officer Tony Zblewski, Katrina Wolf, Gene Kemmeter (Portage County Gazette), Heather Clark (Journal)

Index to these minutes:

2. Salute to the Flag and Mayor's opening remarks/recognition of Dale Brunner Hall of Fame Award for Police Officer Tony Zblewski.
3. Approval of the minutes of the Regular Common Council meeting of May 15, 2006 and Special Common Council meeting of May 22, 2006.
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.
5. Consideration of David Zagrzebski's "Class B" license - non-renewal for non-use.
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24. Personnel Committee meeting of June 12, 2006.
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26. Board of Park Commissioners meeting of June 7, 2006.
27. Proclamation - Parks and Recreation.
28. Board of Water and Sewage Commissioners meeting of June 9, 2006.
29. Reports: Police and Fire Commission meeting of June 13, 2006. Statutory monthly financial report of the Comptroller-Treasurer. Transportation Commission meeting of June 6, 2006.
30. Mayor's appointments: Board of Review - Appoint O. Scott Halverson (5-year term - expires 05-01-11). Board of Water and Sewage Commissioners - Appoint James Cooper. Groundwater Citizens Advisory Committee - Appoint Doug Radtke.
31. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.
32. Adjournment.

2. Salute to the Flag and Mayor's opening remarks/recognition of Dale Brunner Hall of Fame Award for Police Officer Tony Zblewski.

Mayor Wescott commended Police Officer Tony Zblewski for all of his hard work, dedication and involvement with the Special Olympics. Officer Zblewski goes the extra distance when it comes to the Special Olympics.

Police Officer Zblewski firmly believes in the Special Olympic athletes and events. The spirit of this community is shown through their generosity. The City of Stevens Point has a lot to offer and is a wonderful place to host this event.

3. Approval of the minutes of the Regular Common Council meeting of May 15, 2006 and Special Common Council meeting of May 22, 2006.

Ald. Moore moved, Ald. Stroik seconded, for approval of the Regular Common Council minutes of May 15, 2006 and Special Common Council minutes of May 22, 2006. 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.

Elbert Rackow, 1824 Gilkay Street Stevens Point, WI 54481, Item #20 - Public Protection Committee meeting of June 12, 2006

Chris Piotrowski, 800 Whiting Avenue Stevens Point, WI 54481, Item #20 - Public Protection Committee meeting of June 12, 2006

Cathy Dugan, 615 Sommers Street Stevens Point, WI 54481, Item #26 - Board of Park Commissioners meeting of June 7, 2006

Reid Rocheleau, 408 Cedar Street Whiting, WI, Item #31 - Persons who wish to address Mayor and Council

Nancy Schultz, 925 Smith Street Stevens Point, WI 54481, Item #31 - Persons who wish to address Mayor and Council

5. Consideration of David Zagrzebski's "Class B" license - non-renewal for non-use.

David and Barbara Zagrzebski are present. Mr. and Mrs. Zagrzebski do not have legal counsel present.

City Attorney Molepske reviewed the procedure for non-renewal of a liquor license for non-use. The City Attorney explained that Mr. Zagrzebski was properly served notice of this hearing. The City Ordinance provides for non-renewal of a license for non-use. David Zagrzebski was placed under oath by Clerk Moe. Barbara Zagrzebski was placed under oath by Clerk Moe. Chief Morris asked if Mr. Zagrzebski received his subpoena issued on June 12, 2006.

David Zagrzebski replied yes.

Chief Morris asked if Mr. Zagrzebski brought any records from the year 2005/2006 relating to his alcohol purchases, sales tax permit, federal alcohol stamp, etc. for 101 Division Street.

Barbara Zagrzebski replied no. Mrs. Zagrzebski explained that the license was issued to Denise Wanserski.

Chief Morris asked what business Ms. Wanserski was operating.

Barbara Zagrzebski said she ran the Paradise Restaurant and Lounge.

Chief Morris asked when did they sell the building to Ms. Wanserski.

Barbara Zagrzebski said the building was still in their name but the license was issued to Ms. Wanserski.

Chief Morris asked if the license was issued to you by the City of Stevens Point.

Barbara Zagrzebski replied no. The liquor license was transferred to them in August, 2005.

Chief Morris asked if Mr. and Mrs. Zagrzebski operated out of the business at any time or did they just hold the license.

Barbara Zagrzebski replied after getting the license back in August, they held the license while trying to find a tenant. They did receive an offer to purchase.

Chief Morris asked if that is the developer that is currently in the building.

Barbara Zagrzebski replied that is correct.

Chief Morris said then you did not operate with the liquor license from the City of Stevens Point since August. The Chief asked if they operated with the liquor license prior to August.

Barbara Zagrzebski answered no.

David Zagrzebski said it took four months for the closing on the sale of the building. Mr. Zagrzebski thought Noodles and Company would be interested in the liquor license. The City sent the renewal application for the liquor license so Mr. Zagrzebski filled it out and sent it in. Mr. Zagrzebski was in the process of finding a person to transfer the license to.

Chief Morris said the issue before us tonight is that you did not operate with the liquor license.

Barbara Zagrzebski replied no.

Chief Morris stated according to City Ordinance 12.14(7)(a) that in the event such licensee does not so obtain premises such license shall be subject to revocation or non-renewal. Any licensee granted a license who closes or abandons such Class "B" Combination Intoxicating Liquor business shall be subject to non-renewal. It is the recommendation that this license not be renewed this year because it has not been operated according to this ordinance.

David Zagrzebski explained the sale process.

Chief Morris asked if the Zagrzebski's held the license for many years.

David Zagrzebski replied yes.

Barbara Zagrzebski noted they now have someone they want to transfer the license to.

City Attorney Molepske explained that Mr. Zagrzebski does not currently have a premise for the use of his license. The City cannot issue the license under the present ordinance. The City Attorney stated that the license can be issued with the understanding there will be a new premise within the next year or if you feel based on Mr. Zagrzebski's testimony that he has not operated since August, 2005, the license does not have to be granted. He noted a request to transfer Mr. Zagrzebski's liquor license was submitted to the Clerk's office on Friday, June 16, 2006. The problem with the transfer is the Council will not meet again this month except for a special meeting. The statute requires a transfer to be on file for 15 days. The City Attorney further explained the options to the Council. Ald. Stroik asked if there has been an issue of non-compliance.

City Attorney replied not that he knows of.

Ald. Wiza asked who actually possesses the license.

City Attorney Molepske said Mr. Zagrzebski granted the license to a lessee who operated the restaurant.

Mayor Wescott pointed out the law requires there to be a premise for the license to be assigned to.

City Attorney Molepske said the City does have an ordinance requiring a premises or a premise that will be established within the license year.

Mayor Wescott asked if the Council could renew the license for less than 12 months.

City Attorney Molepske replied sure.

Ald. Wiza said it appears there was a period of time that Mr. Zagrzebski did not possess the license. If the renewal of Mr. Zagrzebski's license is denied, Mr. Schertz could still go through the normal channels to obtain that license.

City Attorney Molepske responded sure.

David Zagrzebski explained their situation with the past lessee and the process of the sale of the building.

Ald. Stroik asked why would Mr. Zagrzebski want to hold this license if he does not have a premise.

City Attorney Molepske said maybe he would want to go back into business, however, there is a transfer request so the Attorney believes Mr. Zagrzebski does not plan on going back into business. If the license is not renewed, the transfer does not take place. A new application can be made with the City to transfer it to a third party. The City Attorney reiterated the options are to not renew the license or renew it with the conditions

of either six months or within the license year that he obtain a premise.

Ald. Wiza moved, Ald. Barber seconded, to deny the license renewal based on the fact that there has not been a premise since they regained ownership of the liquor license and the fact that the ordinance clearly states there must be a license or it will not be renewed and the license expires on June 30, 2006.

Roll Call: Ayes: Ald. Moore, Barber, Molski, Trzebiatowski, Robinson, Wiza, Hanson, Walther, Sevenich. Nays: Ald. Stroik, Slowinski. Ayes - 9. Nays - 2. Motion carried.

6. Plan Commission meeting of June 5, 2006.

Ald. Moore moved, Ald. Wiza seconded, for approval of the Plan Commission minutes of June 5, 2006.

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

7. Public hearing - request to enclose an existing porch within the front setback at 500 Sixth Avenue as a conditional use, was declared open by the Mayor.

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

8. Resolution on the above.

Ald. Moore moved, Ald. Trzebiatowski seconded, for adoption of the resolution requesting to enclose an existing porch within the front setback at 500 Sixth Avenue as a conditional use.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Slowinski, Trzebiatowski, Molski, Stroik, Barber, Moore. Nays: None. Motion carried.

9. Public hearing - request to operate an Aluminum Can Recycling Facility at 801 Francis Street as a conditional use, was declared open by the Mayor.

Reid Rocheleau, 408 Cedar Street, is opposed to granting a conditional use to operate a Recycling Facility on Francis Street.

Dave Quimby, 2832 Water Street, does not want this facility in a residential area. There is no need for another recycling location. Mr. Quimby is against the request.

Cathy Dugan, 615 Sommers Street, is opposed to this business in a residential area. This facility will compete with our county's efforts.

Gene Glodowski, 222 Brilowski Road, said there is a lot of noise associated with this business. Other possible concerns are odor and contamination.

Mary Ann Laszewski, 1209 Wisconsin Street, distributed exhibits and they were placed on file. Ms. Laszewski voiced her concerns against the recycling facility. The facility should be located away from residential areas. She is also concerned with late night drop-offs at the facility.

Fred Pionek, 801 Francis Street, said the only concern the neighbors have is the possible mess at the facility. Mr. Pionek stated everything will be conducted inside the building.

Lori Kozicki, 432 Prentice Street, along with her husband, plan on operating the business. She is excited to bring revenue back into the City. The Wisconsin Rapids recycling facility is located in a residential area. Mrs. Kozicki plans to work with the neighbors. Betty Pionek, 801 Francis Street, noted the building is zoned heavy industrial. The look of the building has improved since SMF Enterprises took over the business.

Joe Kozicki, 432 First Avenue South, Wisconsin Rapids, stated the materials will be removed daily. The only items accepted at the facility will be aluminum, brass and copper.

Chris Piotrowski, 800 Whiting Avenue, voiced his concerns about the recycling facility. How will the facility be maintained?

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

10. Resolution on the above.

Ald. Wiza said the Wisconsin Rapids facility owned by Mr. Kozicki seems to be clean. The alderman feels the facility on Francis Street will benefit the area by providing competition.

Ald. Wiza moved, Ald. Barber seconded, for adoption of the resolution adopting the conditional use at 801 Francis Street with the addition that only aluminum, brass and copper may be accepted at the facility and the materials be removed or enclosed daily.

Ald. Barber would like to know what kind of fence will be constructed.

Director Gardner said there is no condition about a fence for this request.

Ald. Slowinski asked if there are concerns with people dropping off items after hours.

Joe Kozicki said there are not a lot of problems with individuals dropping items after hours.

Ald. Stroik said Mr. Kozicki's operation is clean. The alderman would like set hours and a one year sunset clause.

Joe Kozicki said the hours of operation will be 10:00 A.M. to 4:00 P.M.

Ald. Trzebiatowski talked with the neighbors and they are in favor of this project.

Ald. Stroik moved, Ald. Wiza seconded, to amend the motion to include the hours of operation as 10:00 A.M. to 4:00 P.M. and 9:00 A.M. to 1:00 P.M. on Saturdays and a one year sunset clause.

Ald. Barber stated this is a business that should be able to set their hours.

Ald. Stroik said the intent is to set the hours for drop off. They can still be inside the facility working before or after these hours.

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

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

The following is the vote on the main motion.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Trzebiatowski, Slowinski, Robinson, Wiza, Walther, Sevenich. Nays: Ald. Hanson. Ayes - 10. Nays - 1. Motion carried.

11. Public hearing - request to extend the liquor license premises to include exterior seating area at 1001 Amber Avenue as a conditional use, was declared open by the Mayor.

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

12. Resolution on the above.

Ald. Trzebiatowski moved, Ald. Robinson seconded, for adoption of the resolution to extend the liquor license premises to include exterior seating area at 1001 Amber Avenue as a conditional use.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Slowinski, Trzebiatowski, Molski, Stroik, Barber, Moore. Nays: None. Motion carried.

13. Public hearing - request to extend the liquor license premises to include exterior seating area at 200 Division Street as a conditional use, was declared open by the Mayor.

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

14. Resolution on the above.

Ald. Moore moved, Ald. Wiza seconded, for adoption of the resolution extending the liquor license premises to include exterior seating area at 200 Division Street as a conditional use. Ald. Stroik would like clarification on the fencing for the outdoor seating area. Does this conditional use require a fence.

Director Gardner stated a 6 ft. privacy fence will be built around the entire area.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Trzebiatowski, Slowinski, Robinson, Wiza, Hanson, Walther, Sevenich. Nays: None. Motion carried.

15. Public hearing - amendment to the Comprehensive Plan, was declared open by the Mayor.

Ron Borski, Town of Stockton Chairman, recalled that the two Plan Commissions got together and agreed on the comprehensive plan. Since the latest amendments, they changed the agreements that were made. The Town of Stockton has concerns with these amendments. The town is limited in that any development in the extraterritorial area must have city water and sewer.

Mayor Wescott said it has always been the intent of the City to work with all of our neighbors.

Louis Wysocki, Custer, asked that action on this issue be tabled. There are some inequities. Mr. Wysocki voiced his concerns on the amendments to the comprehensive plan.

Cathy Dugan, 615 Sommers Street, would like what this means explained.

Nick Somers is a property owner in this area. Why amend something that has already been agreed on?

Curt Soik feels action should be tabled to allow time for both Commissions to work this out. It is not fair to the land owners. As no one further wished to speak, the Mayor declared the public hearing closed.

16. Ordinance on the above.

Director Gardner said the amendments to the comprehensive plan are mostly editorial changes. The Director reviewed the amendments to the plan. The adoption of the subdivision ordinance is subsequent. The door is open and talks continue on the inter-municipal agreements and relations. Ald. Wiza stressed the need to continue to work together. We also need to protect the City's interest.

Ald. Wiza moved, Ald. Hanson seconded, for adoption of the ordinance amending the comprehensive plan.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Slowinski, Trzebiatowski, Molski, Stroik, Barber, Moore. Nays: None. Motion carried.

17. Ordinance - Subdivision amendments.

Mayor Wescott stated the City had some good meetings with the Town of Stockton. It is important that the City have the ability to have an active voice for planning in the future.

Ald. Moore moved, Ald. Walther seconded, for adoption of the subdivision ordinance. Ald. Barber asked if this will tie the hands of our neighbors.

Mayor Wescott believes everything will be worked out.

Ald. Robinson asked what is the rush. Why not postpone action and work out the details? Mayor Wescott said this is not a rush, the City has been working on this since January.

Ald. Stroik asked how can we ease the concerns about the City's commitment to water and sewer services and costs.

Mayor Wescott said that is the call of the Council. We will continue to work professionally with our neighbors.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Trzebiatowski, Slowinski, Robinson, Wiza, Hanson, Walther, Sevenich. Nays: None. Motion carried.

18. Public hearing - request to construct two apartment buildings on one lot at 717 Vincent Court as a conditional use, was declared open by the Mayor.

Reid Rocheleau, 408 Cedar Street, is opposed to granting the request to build two apartment buildings on one lot. There is no need for additional housing.

Tim Sullivan, 1555 Water Street, said almost the entire neighborhood seems to be against the construction of the apartment buildings. The proposed apartments would hurt their quality of life. The neighbors' input should be considered.

Kevin Knitt, 1410 College Avenue, is disgusted with this proposal. The development is too large for this area. The proposal degrades the quality of life for the adjacent property owners as well as the entire City.

Lois Meshak, 812 Division Street, is opposed to the project because there are already serious traffic and parking concerns. Adding more people to a well known area that is dangerous violates the conditional use.

Agnes Katzmark, 804 Division Street, is an adjacent property owner. Mrs. Katzmark opposes the construction of the apartment buildings. She has concerns with noise, traffic and litter. Mrs. Katzmark reviewed the conditions.

David Katzmark, 804 Division Street, feels no one is listening to the neighbors. He is concerned with noise, traffic and privacy.

Alan Repinski, 1608 Franklin Street, voiced his concerns opposing the construction of the apartment buildings. The only one benefiting from this development is the developer. The area is too small for this development.

Maurice Rice, 2909 Indiana Avenue, is against the development of the apartment buildings. He compared the area that he lives in with the development that is being proposed. Mr. Rice is concerned with Mr. May's maintenance of his apartments.

Maurice Rice submitted pictures and they were placed on file.

Ken Welzien, 813 Prentice Street, is Mr. May's tenant and supports this development. The apartment complexes are well maintained. The students feel unwanted.

Ronald Aufdemaurer, 2224 Michigan Avenue, is in support of this project. The students are intimidated by the neighboring residents and are treated like outcasts. Mr. May has well maintained properties.

Rich Sommers, 4224 Janick Circle North, is the owner of rental units and the students are good people. The zoning clearly indicates an intent to encourage multi-family development. The issues to determine are if the zoning is adequate and if the conditions are met. Closer housing for the university students will help eliminate on street parking. Mr. Sommers approves of the project.

Caleb Mueller, 709 Vincent Court, supports the development of the apartment buildings. The location is close to the university campus and easy access to businesses.

Tammy Thorson, 8022 Hillcrest Road, is supportive of the project. She is a representative of Jack's Lawn Care who provides lawn care maintenance for Mr. May. She has never had problems with his properties.

Susan Morrison, 473 West Karner Street, said this is a mixed use lot that is zoned "R-4". The ordinance must be respected. It should not be swayed by opinions.

Susan Morrison submitted a petition opposing the project and the petition was placed on file.

Joe Kosman, 1517 Fourth Avenue, is in favor of the proposal for the apartment buildings.

Mary Ann Laszewski distributed exhibits and they were placed on file.

Mary Ann Laszewski, 1209 Wisconsin Street, opposes the proposed project. The concerns include noise, activity, traffic and vandalism. She believes this proposal is in violation of conditional use standard number 1. She continued to voice her concerns on density, snow removal and green space. Ms. Laszewski reviewed her exhibits relating to this project.

Cathy Dugan, 615 Sommers Street, voiced her concerns relating to the construction of the apartment buildings and density because she thinks large developments are draining the City of single family homes.

Dave Engebretson, 610 West Ninth Avenue, Oshkosh, stated the new complexes will be far more energy efficient. Mr. Engebretson believes the proposed project is good for the community.

Linda Miller, 816 Prentice Street, voiced her concerns on the proposed project. Ms. Miller feels the large complexes are ruling the neighborhood.

Nancy Schultz, 925 Smith Street, objects to the proposed project.

Jeff May, 21 Oakcrest, reviewed his plans for this development. Mr. May is aware of the neighbors' concerns and he is willing to address these concerns. He spoke with the neighbors and only a few of them were against the project.

Mr. May submitted exhibits and they were placed on file.

Mildred Neville, 1409 Franklin Street, feels there are four conditions that may not be met. Ms. Neville reviewed previous minutes of meetings relating to this project. She voiced her concerns against the proposed development. The proposed development is too large for this location.

Attorney Brian Formella, 209 Pine Bluff Road, said the legal standards are not met. When an application is incomplete and variance processes have not been followed, then the courts send it back. Attorney Formella asked the Council to review the information received.

Attorney Jim Klein represents Mr. May. The Attorney said this is not a legal issue, it is a policy issue. This is a neighborhood that is in transition. We want the students close to the university. This proposal fits both the zoning and the community.

Pam Jewell, 10241 Yellow Brick Road, Amherst, said the neighbors should have nothing to fear with Mr. May's apartments. He has excellent apartment units on well cared for sites. The proposed apartments would be an asset to the university as well as the City.

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

19. Resolution on the above.

Mayor Wescott said the City is interested in hearing your opinions. The law had already been satisfied when the Council held a formal public hearing on this matter in April. The community had more to say so another special public hearing was scheduled tonight.

City Attorney Molepske reviewed variances for a conditional use permit. The City Attorney explained the setback and zoning conditions. The Common Council shall make the final determination on the conditional use after conducting a public hearing on the matter. The City Council and the Planning Commission shall have the right to attach conditions to the issuance of such permits. The City Attorney asked if there is a specific drainage, water and sewer site plan.

Director Euclide stated the Engineering Department determined the utilities are adequate for this site. Ald. Barber stated that Mr. May has a contractor for snow removal. Is this sufficient for this project?

Director Gardner said the standard that applies to snow states there must be some accommodation on site.

Ald. Moore asked what is the zoning for this lot?

Director Gardner replied it is "R-4" Multi-Family.

Ald. Moore questioned the required 80' width of the lot.

Director Gardner said that does not apply for an existing lot.

Ald. Sevenich asked why the storm water management application is not in place.

Director Gardner said the storm water permit is issued when the building permit is issued.

Ald. Stroik had heard that the area north of Fourth Avenue and west of Prentice Street will continue to develop into multi-family housing.

Director Gardner responded that the use of the land is controlled by the zoning of the land. The block east of Prentice Street and south of Fourth Avenue is zoned multi-family. The areas west of Prentice Street and north of Fourth Avenue are not zoned multi-family.

Ald. Stroik asked to have mixed use zoning explained.

Director Gardner replied you do not have to have both. The Director explained the density standards.

Ald. Barber moved, Ald. Robinson seconded, for adoption of the resolution to construct two apartment buildings on one lot at 717 Vincent Court as a conditional use.

Ald. Wiza pointed out his concerns with snow removal, property values and parking issues for this development. The alderman urged the Council to use their judgment in what is best for the community, not what we can make work.

Ald. Sevenich noted she opposed the apartment complex at 725 Vincent Street because it was too dense. The alderperson also opposes this development because she still believes it is too dense.

Ald. Hanson has concerns with fencing, pedestrian and vehicle traffic.

Ald. Stroik questioned why the land split notation is not part of the conditions.

Director Gardner said that could be added to the resolution.

Roll Call: Ayes: Ald. Walther, Robinson, Molski, Barber. Nays: Ald. Sevenich, Hanson, Wiza, Slowinski, Trzebiatowski, Stroik, Moore. Ayes - 4.

Nays - 7. Motion defeated.

20. Public Protection Committee meeting of June 12, 2006.

Elbert Rackow, 1824 Gilkay Avenue, stated the recommendation from the Public Protection Committee would prevent the use of firearms as a back up method to cull deer. The Department of Natural Resources prefers the use of firearms as the method to cull deer. In addition, the action of the Public Protection Committee, if affirmed, would make the use of live trapping impractical because the motion would prohibit the use of a gunshot to dispatch a deer caught in a live trap.

Chris Piotrowski would like to know who is on the Deer Culling Committee and if they are deer hunters. Mayor Wescott responded to his question.

Chris Piotrowski suggested not letting people know the budgeted amount for deer culling until after the bids are received. Where were the bids advertised? Mr. Piotrowski asked how many reports of trespassing were there on this issue. He is not sure it is necessary to cull deer every year.

Chief Morris responded, none to the question on trespassing.

Ald. Barber moved, Ald. Hanson seconded, to pull item #4 from the Public Protection Committee minutes of June 12, 2006, for further discussion.

Ald. Barber moved, Ald. Robinson seconded, for approval of the Public Protection Committee minutes of June 12, 2006.

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

Ald. Barber moved, Ald. Hanson seconded, to recommend approval of the deer management committee to look at the three methods of culling deer:

1) bow hunting to be completed by December 31, 2006,

2) live trapping with any deer trapped to be dispatched by the trapper with a pistol as quickly as possible,
3) rifle hunting at the designated areas, approved by the committee and the Police Department, from January 1, 2007 through February 28, 2007, only when and if there is snow on the ground.
All three methods must obey any and all regulations set by the Wisconsin DNR. All three methods will also have to obey any regulations or restrictions placed on them by the deer management committee. The method or methods selected by the deer management committee will have to come back to the Common Council for final approval. When the quota of deer is reached by a certain date, all methods of culling the deer will cease.

Ald. Robinson suggested returning this back to the Deer Management Committee and have the committee forward recommendations to the Council.

Ald. Wiza would like clarification on the motion. Are we approving the Deer Management Committee to get bids on the three forms of culling the deer or the use of those three forms of deer culling?

Ald. Barber replied both.

Ald. Robinson said the reason he opposed the initial concept of approving this was because we were not just approving the idea and going out and soliciting bids, we were actually approving those uses.

Ald. Stroik said to send this back to the Deer Management Committee only because the Council does not know if we can offer all three options and still be able to meet the budget.

Ald. Molski understood that all the Council was going to do was get bids for the different methods.

Ald. Trzebiatowski is concerned with the time factor of soliciting bids to cull the deer.

Ald. Robinson said the comment was made at the Committee meeting that an affirmative vote meant approving the use of firearms and live trapping.

Mayor Wescott called for a voice vote. It is the opinion of the Chair that the Nays have the majority. Ayes - minority. Nays - majority. Motion defeated.

Ald. Robinson moved, Ald. Wiza seconded, to return the issue of deer culling uses and solicitation of bids back to the Deer Management Committee for their meeting on Wednesday, June 21, 2006.

Roll Call: Ayes: Ald. Walther, Wiza, Robinson, Slowinski, Stroik, Moore. Nays: Ald. Sevenich, Hanson, Trzebiatowski, Molski, Barber. Ayes - 6. Nays - 5. Motion carried.

21. Board of Public Works meeting of June 12, 2006.

Ald. Stroik moved, Ald. Moore seconded, for approval of the Board of Public Works minutes of June 12, 2006.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Slowinski, Trzebiatowski, Molski, Stroik, Barber, Moore. Nays: None. Motion carried.

22. Finance Committee meeting of June 12, 2006.

Ald. Molski moved, Ald. Hanson seconded, for approval of the Finance Committee minutes of June 12, 2006.

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Trzebiatowski, Slowinski, Robinson, Wiza, Hanson, Walther, Sevenich. Nays: None. Motion carried.

23. Special Finance Committee meeting of June 19, 2006.

Ald. Moore moved, Ald. Molski seconded, for approval of the Special Finance Committee minutes of June 19, 2006.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Slowinski, Trzebiatowski, Molski, Stroik, Barber, Moore. Nays: None. Motion carried.

24. Personnel Committee meeting of June 12, 2006.

Ald. Sevenich moved, Ald. Wiza seconded, for approval of the Personnel Committee minutes of June 12, 2006.

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

25. Ratification of the 2005-2006 Tentative Labor Agreement with IAFF Local 484 (Firefighters).

Ald. Molski moved, Ald. Moore seconded, for ratification of the 2005-2006 Tentative Labor Agreement with IAFF Local 484 (Firefighters).

Roll Call: Ayes: Ald. Moore, Barber, Stroik, Molski, Trzebiatowski, Slowinski, Robinson, Wiza, Hanson, Walther, Sevenich. Nays: None. Motion carried.

26. Board of Park Commissioners meeting of June 7, 2006.

Ald. Sevenich moved, Ald. Hanson seconded, for approval of the Board of Park Commissioners minutes of June 7, 2006.

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

27. Proclamation - Parks and Recreation.

Ald. Moore moved, Ald. Stroik seconded, to accept the Proclamation - Parks and Recreation.

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

28. Board of Water and Sewage Commissioners meeting of June 9, 2006.

Ald. Wiza moved, Ald. Trzebiatowski seconded, for approval of the Board of Water and Sewage Commissioners minutes of June 9, 2006.

Roll Call: Ayes: Ald. Sevenich, Walther, Hanson, Wiza, Robinson, Slowinski, Trzebiatowski, Molski, Stroik, Barber, Moore. Nays: None. Motion carried.

29. Reports:

- Police and Fire Commission meeting of June 13, 2006.
- Statutory monthly financial report of the Comptroller-Treasurer.
- Transportation Commission meeting of June 6, 2006.

Ald. Walther moved, Ald. Slowinski seconded, to accept the reports and place them on file.

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

30. Mayor's appointments:

- Board of Review - Appoint O. Scott Halverson (5-yr. term-expires 05-01-11).
- Board of Water and Sewage Commissioners - Appoint James Cooper.
- Groundwater Citizens Advisory Committee - Appoint Doug Radtke.

Ald. Stroik moved, Ald. Sevenich seconded, for confirmation of the Mayor's appointments. Roll Call: Ayes all. Nays none. Motion carried.

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

Nancy Schultz, 925 Smith Street, stated the Village of Park Ridge passed a similar ordinance prohibiting smoking in public places.

32. Adjournment - 12:30 A.M.

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