

Meeting Minutes

Special Meeting

of the Common Council

June 26, 2006, 5:35 pm

City Conference Rm., 1515 Strongs Ave.

Council President Jerry R. Moore, presiding

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

Excused: Alderperson Stroik

Also Present: Clerk Moe, City Attorney Molepske, Capt. Dowling, Elbert Rackow, Gene Kemmeter (Gazette), Heather Clark (Journal)

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2. Special Public Protection Committee meeting of June 26, 2006.

Ald. Trzebiatowski moved, Ald. Molski seconded, approval of the New Operators, Renewal Operators license lists. Ayes, all; nays, none. Motion carried.

Ald. Sevenich moved, Ald. Robinson seconded, to approve the renewal of the Class "B" Beer and Class "C" Wine application and the Temporary Class "B"/ "Class B" Retailers License. Ayes, all; nays, none. Motion carried.

Ald. Robinson, citing the closeness of the business to the University and the Council's past practices of having stricter conditions in the area, moved, Ald. Barber seconded, to deny the extension of premises for Noodles and Company.

Ald. Trzebiatowski asked if there are any restrictions on how many times a business can change ITS premises in a year.

City Attorney Molepske responded that businesses can change their premises once a year. If the Council turns down this request, they can come back next month.

Ald. Wiza felt that they could resolve this situation by having them install a camera to monitor the area. He felt that a solution should be found **without having to change the façade of the building to make it look like a Russian gulag.**

Ald. Molski suggested this be referred to the Inspection Department to work with Noodles to come up with something that is acceptable in keeping with what we have with other outdoor patios that are serving alcohol.

Ald. Trzebiatowski stated the fence is only about three feet tall and without some modifications he would not recommend approval. He asked Capt. Dowling if he saw any problems.

Capt. Dowling stated that he had not spoken with management, but he would be surprised if they would be willing to make too many changes, because it would impact the character of the place.

Ald. Barber asked if we denied this today could they still come back next month.

Ald. Moore said that according to the City Attorney that is correct.

Ald. Robinson encouraged Noodles to work with the Police Department and the Inspection Department to resolve any issues. He's not sure how worried we ought to be about a three dollar can of beer being passed over a fence to college students because three dollars a can is a little out of the price range for most students. This is more about maintaining similar standards and that the Council must be as equitable as possible. We have established businesses in town which we have placed several conditions on and we need to look at this new business the same way.

Ald. Moore called for the vote on the motion to deny: Ayes, all; nays, none. Motion carried.

3. Discussion and Action on Deer Management Committee's deer culling request.

Ald. Sevenich moved, Ald. Slowinski seconded, to approve the minutes of the Deer Management Committee of June 21, 2006 and placed on file with section III pulled for further discussion. Ayes, all; nays, none. Motion carried.

Ald. Molski moved, Ald. Barber seconded, to confirm the previously approved authority of the Deer Management Committee to obtain quotes to use archery tackle to cull deer through December 31, 2006.

Ald. Trzebiatowski asked to amend the motion to extend the time through April 1, 2008.

Amendment was approved by the authors of the motion.

Ald. Moore called for a vote on the motion regarding item #1 under section III: Ayes, all; nays, none. Motion carried.

Ald. Wiza moved, Ald. Hanson seconded, that the Council grant the Deer Management Committee the authority to obtain quotes for deer culling by the use of live trapping with the use of suitable firearms to dispatch the trapped deer through April 1, 2008.

Ald. Barber raised the issue of what would account as a suitable firearm.

Ald. Trzebiatowski stated the discussions the Committee had in which Chief Morris attended, he (Chief Morris) did not want to specify the type of lode because we then get into a liability issue.

Elbert Rackow, Chair of the Deer Management Committee, stated the contractors are regarded as independent contractors and if we specify too much than they are no longer independent.

Ald. Moore called for a vote on the motion regarding item #2 under section III: Ayes, all; nays, none. Motion carried.

Ald. Wiza moved, Ald. Walther seconded, that the Council grant the Deer Management Committee the authority to obtain quotes for deer culling by the use of firearms as a backup method if the use of archery tackle and live trapping does not result in the culling of sufficient deer through April 1, 2008.

Ald. Wiza pointed out that the Council was not approving the use of firearms but providing the authorization to obtain quotes.

Ald. Moore called for a vote on the motion regarding item #3 under section III: Ayes, all; nays, none. Motion carried.

Ald. Robinson moved, Ald. Slowinski seconded, to approve that should the use of archery tackle and live trapping does not result in the culling of sufficient deer, the Deer Management Committee will inform the Council and request authority to use quotes on hand to cull deer by the use of firearms subject to the conditions listed in sections one and two (listed in document: "Items to be Considered by the Deer Management Committee").

Ald. Trzebiatowski asked if the motion was necessary.

Ald. Robinson and Ald. Wiza said that they felt it was an important statement to the Community that the Council at this time is just authorizing the Committee to obtain quotes and any use of firearms will come back to Council for approval prior to that use.

Ald. Barber questioned whether the Committee should have the authority to make the decision to use firearms if needed.

Ald. Robinson felt with important issues like this the Council needs to retain oversight and if needed a special Council meeting can be set up.

Ald. Moore called for a vote on the motion regarding item #4 under section III: Ayes, all; nays, none. Motion carried.

Ald. Moore said after speaking with the City Attorney and Elbert Rackow, he determined that no action was needed for item #5 of the Deer Culling Committee's requests and without other items on the agenda, adjourned the meeting.

Meeting adjourned at 6:10 P.M.

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