

Meeting Minutes

Public Protection Committee

Monday, June 13, 2005 - 6:00 P.M.

City Water Department - 300 Bliss Avenue Present: Ald. Sevenich, Barber, Trzebiatowski, Hanson.

Excused: Ald. Stroik

Also Present: Mayor Wescott, C/T Schlice, City Attn. Molepske, Ald. Molski, Barr, Moore, Wiza, Robinson, Walther, Chief Morris, Capt. Dowling, Chief Barnes, Clerk Moe, Director Schrader, Director Gardner, Assessor Kuehn, Lisa Jakusz, Robin Mielke, Daniel Mielke, Jeff Hild, Dan Kawleski, Juliann Kawleski Peggy Rentz, Adm. Asst. Ostrowski, Jami Gebert, Gene Kemmeter and Carrie Williamson (Portage County Gazette)

Index of these Minutes:

1. Recommendation on license list.
2. Request for a one-day extension for liquor premises, Big Todd's Rumble Inn, 1109 Park Street - Saturday, August 27, 2005.
3. Request to close Elk Street from Depot Street to Park Street, on Saturday, August 27, 2005, for Big Todd's Rumble Inn Memorial Motorcycle Run.
4. Request to close Main Street from Strongs Avenue to the Market Square, on Wednesday, July 13, 2005, for Summer in the City celebration.
5. Request to close Main Street from Third Street to Water Street, on Saturday, August 6, 2005, from 5:00 p.m. to 11:00 p.m., for Annual Corn on Curb promotion.
6. Request to raise chickens - 416 Forest Street North.
7. Ordinance amendments:
  - A. Bicycles and Motor Bicycles on Green Circle Trail.
  - B. Farmer's Market setup time and parking.
  - C. Animal Care and License definitions.
  - D. Building and Premises Maintenance and Occupancy - Keeping of Animals.
8. Recommendation of the May 2005 Inspection Report:
  - A. Construction Starts.
  - B. Violations.
9. Adjournment.

1. Recommendation on license list:

Ald. Trzebiatowski moved, Ald. Barber seconded, approval of the license list. Ayes, all; nays, none; motion carried.

2. Request for a one-day extension for liquor premises, Big Todd's Rumble Inn, 1109 Park Street - Saturday, August 27, 2005.

Request was withdrawn

3. Request to close Elk Street from Depot Street to Park Street, on Saturday, August 27, 2005, for Big Todd's Rumble Inn Memorial Motorcycle Run.

Request was withdrawn

4. Request to close Main Street from Strongs Avenue to the Market Square, on Wednesday, July 13, 2005, for Summer in the City celebration.

Jami Gebert stated that this was an extension to the request approved last month. They are asking to extend the event from one to two days as it has been in the past.

Ald. Barber moved, Ald. Trzebiatowski seconded, to approve the request. Ayes, all; nays, none; motion carried.

5. Request to close Main Street from Third Street to Water Street, on Saturday, August 6, 2005, from 5:00 p.m. to 11:00 p.m., for Annual Corn on Curb promotion.

Ald. Sevenich said this event was well received in the past and is a great event for the downtown.

Ald. Hanson moved, Ald. Trzebiatowski seconded, approval of request. Ayes, all; nays, none; motion carried.

6. Request to raise chickens - 416 Forest Street North.

Ald. Wiza stated that he had spoken with those making the request and the neighbors. Both of the immediate neighbors disapprove of the way the animals are being kept. They do not have a problem with chickens being raised there; however they felt there was neglect involved. He stated that when he visited the home there was no water or food for the chickens. He stated that because both the neighbors do not want animals raised there, he recommends denying the request for the conditional license.

Juliann Kawleski, 432 Forest Street North, stated that she lives on the north side of the boy who wants these chickens and that she has witnessed the boy abuse the chickens. She continued saying that she saw him and a friend shoot at a chicken and later saw them bury the chicken.

Ald. Wiza also stated that when he went there he counted around 16 or 17 chickens. They started out as a school science fair project and grew since then. The neighbors to the south do have chickens in their yard, however they were grandfathered into the City.

Dan Kawleski, 432 Forest Street North, stated that the situation of there being no feed or water in the pen is a common occurrence. He continued, having a farm background, he knew that by the look of the chickens they had not had water for two days. He stated he was against allowing them to have chickens.

Ald. Sevenich stated that she went over there that afternoon and counted 17, a combination of chickens and rosters. The chickens did not have any food and that it appeared that the chickens were trying to peck through the wire to get to the grass. She was told that the chickens were there from October and she felt that things may have just gotten out of hand.

Ald. Trzebiatowski moved, Ald. Barber seconded, to deny request for a permit to have chickens at 416 Forest Street N. Ayes, all; nays, none; motion carried.

7. Ordinance amendments:

A. Bicycles and Motor Bicycles on Green Circle Trail.

Dan Kawleski asked for clarification on type of bicycles because he bikes (peddles) a lot on the Green Circle Trail.

Ald. Sevenich stated that the amendment dealt with motorized bikes.

Ald. Robinson asked for a definition of trick riding.

Ald. Barber stated that they are bicycles with pegs on the wheels to allow you to stand on the front or stand them up on end and ride in circles like a unicycle.

Ald. Robinson stated that law is based on definitions and to his knowledge we did not have a definition of trick riding in the ordinances.

Ald. Barber replied that there is a definition in the ordinance.

Ald. Robinson stated that his question was raised because he has gone on trips with kids that only have trick riding bikes. His concern was that they would be excluded from using this great resource in our community.

Ald. Barber stated that it was a good point, that you could ride a trick bike like a regular bike.

Atty. Molepske stated that you know trick riding when you see it and that it would be extremely difficult to have an exact definition.

Ald. Trzebiatowski asked if the only way a person would get into trouble was if they rode their bike without holding onto the handlebars.

Atty. Molepske reply that no, riding without hands on the handlebars was just an example.

Ald. Wiza said that it was his assumption that it was the act of trick riding that was banned and not the bikes themselves.

Atty. Molepske responded that is correct.

Director Gardner stated that the ordinance was put into place in 2000 and that the amendment was just dealing with removing motor bicycles.

Ald. Barber moved, Ald. Trzebiatowski seconded, recommend approval of the ordinance amendment. Ayes, all; nays, none; motion carried.

B. Farmer's Market setup time and parking.

Ald. Sevenich stated that the vendors are asking that the setups time at the farmers market be changed from 5:30 am to 6:30 am. The alderperson also said that there were problems last year with parking between the market area and the Blue Cross/Blue Shield building. She concluded advising those in attendance that a revised map is available.

Daniel Mielke, 2550 County Hwy. II, Rudolph, of the Farmer Market Association stated that the change in parking was requested to resolve problems with parking interfering with pedestrian traffic. He also clarified that their request included 6 feet of pavement to allow venders to set up tables to deal with overflow.

Ald. Trzebiatowski asked for clarification on the location for overflow.

Daniel Mielke said that overflow is to the north of the Farmer's Market area. To allow the additional 6 feet would allow them to have 10 more stalls.

Ald. Trzebiatowski asked Capt. Dowling about parking problems.

Capt. Dowling stated that there would be no problems.

Daniel Mielke asked that they also look into changing the parking signs dealing with the Farmers Market to address some confusion.

Ald. Barber asked Mr. Mielke if we have enough space for the future.

Daniel Mielke stated that we did not. For the past two years they have had 8 to 10 venders having to set up in the north parking lot because of lack of space.

Ald. Trzebiatowski moved, Ald. Barber seconded, to recommend changing the setup time from 5:30 am to 6:30 am, and revise no parking and no vending on walkway. Ayes, all; nays, none; motion carried.

C. Animal Care and License definitions.

D. Building and Premises Maintenance and Occupancy - Keeping of Animals.

Ald. Sevenich read the definition changes to the two ordinances.

Ald. Trzebiatowski asked for clarification on the definition of a dangerous animal.

Director Gardner stated that the term for dangerous animal is in chapter 21 of the ordinances.

Ald. Barber moved, Hanson seconded, approval of amendment to change the definitions in Chapter 14 and Chapter 21 as written.

Ald. Wiza raised concern with the definition revision of ch. 14.01(4), stating that as it was written, a farm animal would include cats, dogs, etc. because they have been domesticated. This definition was beyond vague; this is all encompassing and would even include humans. He concluded that if we are going to exclude cats, dogs, etc. we need to specify that. We need to narrow this down to what a farm animal is and if we have to do that by excluding non farm animal than that is what we should do.

Director Gardner stated that the definition of a farm animal in the Webster dictionary referred him to the definition of domesticated animals which was used in the definition changes. He said that no one is trying to call a dog or cat, etc. a farm animal. Exclusions could be added to the definition, but he was concerned that there is a chance that we would miss something.

Ald. Sevenich called for a vote. Ayes, Barber; nays, Trzebiatowski. Motion failed. The vote on this motion was suspended for further discussion.

Ald. Hanson asked if the definition was going to be changed or were they to add an amendment which would clarify the term domestic animals.

After discussion to address the situation, it was decided to remove from the amended definition "or domesticated so as to live and breed in a tame condition".

Ald. Barber withdrew his original motion.

Ald. Barber moved, Ald. Trzebiatowski seconded, approval of amended definition of a farm animal to read as follows: "'Farm Animal" shall mean any animal normally raised on farms used or intended for use as food or fiber." Ayes, all; nays, none; motion carried.

8. Recommendation of the May 2005 Inspection Report:

A. Construction Starts.

B. Violations.

Ald. Sevenich moved, Ald. Hanson seconded, approval of the Inspection Report and have it placed on file. Ayes, all; nays, none; motion carried.

Meeting adjourned at 6:40 p.m.

The meeting minutes reproduced on this website are derived from the computer files used to produce the official minutes for the City of Stevens Point, but are unofficial. The minutes on this web site cannot be certified under s. 889.08, Wis. Stats., and cannot be considered prima facie evidence under s. 889.04, Wis. Stats. Certain tables, maps, and other documents that are a part of the official minutes are not included in the files reproduced on this website. Please consult the printed minutes, available in the City Clerk's Office, for the official text. The decisions made by City of Stevens Point boards, committees, and commissions (other than the Police & Fire Commission) are advisory only and are not binding on the city until affirmed at a meeting of the Common Council. Some of the minutes on this web site might not be approved by the Common Council as of today.

Bottom of Form