

Meeting Minutes

Regular City Council Meeting Minutes

October 20, 2003, 7:00P.M.

Council Chambers - County/City Building

Mayor Gary W. Wescott, presiding Roll Call: Present: Ald. Sevenich, Walther, Markham, Seiser, Sowieja, Barr, Rackow, Molski, Stroik, Phillips, Moore

Also Present: Comptroller/Treasurer Schlice, City Clerk Zdroik, Directors Gardner, Schrader, Disher, Euclide; Police Chief Carpenter, Fire Chief Barnes, Assessor Kuehn, Transit Manager Lemke, Administrative Assistant Gebert, Kari Yenter, Kate Garsombke (Journal), Gene Kemmeter (Portage County Gazette)

Index to these minutes:

2. Salute to the flag and Mayor's opening remarks.
3. Approval of the minutes of the Regular Common Council meeting of September 15, 2003.
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. Presentation by Dr. John Gauder and Cindy Schmitz - BreatheFREE Stevens Point.
6. Presentation by Mary Ann Krems - Portage County Alliance for Youth.
7. Plan Commission meetings of September 29, 2003 and October 6, 2003.
8. Ordinance - Annexation - Richard D. & Delores A. Janick - 3116 Stanley Street.
9. Public hearing - amending Zoning Ordinance which would classify 3116 Stanley Street, as "R-2" Single Family Zoning.
10. Ordinance on the above.
11. Public hearing - request of Kent Worzalla, 530 West River Drive, to expand existing storage building, as a Conditional Use.
12. Resolution on the above.
13. Public hearing - amending Zoning Ordinance which would classify 641 Second Street North, as "R-3" Two-Family Zoning from "B-4" Commercial Zoning.
14. Ordinance on the above.
15. Personnel Committee meeting of October 13, 2003.
16. Public Protection Committee meeting of October 13, 2003.

17. Board of Public Works meeting of October 13, 2003.
18. Finance Committee meeting of October 13, 2003.
19. Board of Parks Commissioners meeting of October 1, 2003.
20. Board of Water and Sewage Commissioners meeting of October 15, 2003.
21. Reports: Police and Fire Commission meeting of October 14, 2003.
- Comptroller-Treasurer's report - August 2003.
- Transportation Commission meeting of October 9, 2003.
22. Mayor's appointments.
Telecommunications Commission - 2-year term expires October 10, 2005.
Reappoint Jack Curtis 717 Green Avenue
Reappoint Nichole N. Lysne 1825 Gilkay Avenue
Reappoint Tony Patton 3917 Jordan Lane
Telecommunications Commission - 1-year term expires December 31, 2004.
Reappoint Ald. Hans Walther 2424 Ellis Street
Reappoint Ald. Elbert Rackow 1824 Gilkay Avenue
Reappoint Ald. Mike Phillips 2302 Water Street
Smongeski Health Fund Committee - 1 year term expires September 1, 2004.
Reappoint Cherrie Pavelec-Marti 900 Illinois Avenue
Reappoint Carol Pearson 400 W. Maple Ridge Drive
23. Persons who wish to address the mayor and council for up to three (3) minutes on non-agenda item.
24. Adjournment.
 2. Salute to the flag and Mayor's opening remarks.

Mayor Wescott announced U. S. Highway 10 is now open. The Mayor thanked everyone for their understanding and patience during the construction.

Mayor Wescott noted even though the United Way campaign continues, the City of Stevens Point has already surpassed the targeted goal.

Mayor Wescott reminded the alderpersons the budget hearings are on Wednesday, October 22, 2003, at 5:00 p.m. in the Police Department Conference Room.

3. Approval of the minutes of the Regular Common Council meeting of September 15, 2003.

Ald. Stroik moved, Ald. Walther seconded, for approval of the regular Common Council minutes of September 15, 2003.

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.

Mary Ellen Straughn Item #23 - Persons who wish to address Mayor and Council
2032 College Avenue
Stevens Point, WI 54481

Mike O'Meara Item #23 - Persons who wish to address Mayor and Council
1809 Clark Street
Stevens Point, WI 54481

Alicia Guarino Item #23 - Persons who wish to address Mayor and Council
510 W Casimir Road
Stevens Point, WI 54481

Gary Tuskowski Item #18 - Finance Committee meeting of October 13, 2003
400 Forest Street
Stevens Point, WI 54481

Loretta Wyhuske Item #23 - Persons who wish to address Mayor and Council
601 Clayton Avenue
Stevens Point, WI 54481

Faye Tetzloff Item #23 - Persons who wish to address Mayor and Council
3255 Paradise Lane
Plover, WI 54467

Bill Ogdon Item #23 - Persons who wish to address Mayor and Council
3641 Robert Street
Stevens Point, WI 54481

Doug Henderson Item #23 - Persons who wish to address Mayor and Council
4308 Heffron Street
Stevens Point, WI 54481

Justin Singleton Item #23 - Persons who wish to address Mayor and Council
730A Isadore Street #13
Stevens Point, WI 54481

John Munson Item #23 - Persons who wish to address Mayor and Council
1101 Brawley Street
Stevens Point, WI 54481

Tom McIntee Item #23 - Persons who wish to address Mayor and Council
Rice Medical Center
Stevens Point, WI 54481

Guy Janssen Item #23 - Persons who wish to address Mayor and Council
409 Sunset Avenue
Stevens Point, WI 54481

Chris Piotrowski Item #18 - Finance Committee meeting of October 13, 2003
800 Whiting Avenue
Stevens Point, WI 54481

Bill Downs Item #23 - Persons who wish to address Mayor and Council
1209 Brawley Street
Stevens Point, WI 54481

Bill Hetler Item #23 - Persons who wish to address Mayor and Council
1300 College Court
Stevens Point, WI 54481

Ed Flatoff Item #23 - Persons who wish to address Mayor and Council
2151 Ellis Street
Stevens Point, WI 54481

Kelly Flatoff-Jurgella Item #23 - Persons who wish to address Mayor and Council
1508 Nicks Road
Stevens Point, WI 54481

5. Presentation by Dr. John Gauder and Cindy Schmitz - BreatheFREE Stevens Point.

Cindy Schmitz, Co-Chair of BreatheFREE Coalition, introduced Dr. John Gauder.

Dr. John Gauder is here as an Internal Medicine Physician, Medical Director of Rice Medical Center and a citizen. Secondhand smoke is the third most preventable cause of death after only smoking itself and alcohol. The City Council has an opportunity to address the safety and health of individuals. The EPA has identified secondhand smoke as a health risk. Earlier this year, more than 100 of the medical staff of Portage County signed a letter to Mayor Wescott urging action on addressing the issues of secondhand smoke.

Cindy Schmitz explained she had an individual come to her to ask for help to quit smoking. This individual did not have too much of a problem not smoking at home but the problem was at her place of employment. This individual cannot go to her employer because the boss is a smoker and she could get fired from her job. Ms. Schmitz said their mission is to protect employees and patrons from the hazards of secondhand smoke in the workplace. The goal of BreatheFREE is Council approval of an ordinance for Stevens Point making indoor work sites including restaurants smoke-free to protect workers and patrons.

6. Presentation by Mary Ann Krems - Portage County Alliance for Youth.

Mary Ann Krems, President of Portage County Alliance for Youth, has been addressing alcohol, tobacco, illegal drugs and other at risk behavior of youths for the past 20 years. Search Institute has identified eight categories which divided into 40 assets that if a youth possesses we can be sure that the youth will have a successful life as an adult. In 1991, Portage County school systems surveyed their youth to see how many assets they currently possess. Out of 40 assets, our youth average as having about 18 assets. You can see we have some work to do with helping to implement this in our county. Research shows that the more assets a youth has in their life, the higher their GPA is.

7. Plan Commission meetings of September 29, 2003 and October 6, 2003.

Ald. Phillips moved, Ald. Sowieja seconded, for approval of the Plan Commission minutes of September 29, 2003 and October 6, 2003.

Roll Call: Ayes all.

Nays none. Motion carried.

8. Ordinance - Annexation - Richard D. & Delores A. Janick - 3116 Stanley Street.

Ald. Molski moved, Ald. Markham seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Sevenich, Walther, Markham, Seiser, Sowieja, Barr, Rackow, Molski, Stroik, Phillips, Moore.

Nays: None. Motion carried.

9. Public hearing - amending Zoning Ordinance which would classify 3116 Stanley Street, as "R-2" Single Family Zoning, was declared open by the Mayor.

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

10. Ordinance on the above.

Ald. Molski moved, Ald. Phillips seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Moore, Phillips, Stroik, Molski, Rackow, Barr, Sowieja, Seiser, Markham, Walther, Sevenich.

Nays: None. Motion carried.

11. Public hearing - request of Kent Worzalla, 530 West River Drive, to expand existing storage building, as a Conditional Use, was declared open by the Mayor.

Pastor Matthew Mallek, 1377 Okray Drive, has maintained a good relationship with his neighbor Kent Worzalla. The main concern is for the safety of the children and families served at Canaland Christian Day Care and Preschool, Stevens Point Christian Academy, and Good News Fellowship Church Congregation. Pastor Mallek appreciates the fence constructed by Mr. Worzalla around his property.

Robert Golla, 1905 North Second Drive, said the main concern is the safety of the children. Mr. Golla is concerned the storage building area will be a place for unsupervised teenagers to do questionable activities. The expansion of the storage buildings will also increase traffic for this area.

Renee Chatman, 2309 Illinois Avenue, opposes the request to expand the existing storage building. As a parent, Mrs. Chatman wants the best for her child. The storage units would increase traffic, unwanted garbage and potential for burglaries. The storage units would be located in a rural setting where there is currently not a lot of traffic. Mrs. Chatman feels this would increase the potential for criminal activities.

Gary Oliver, 3104 County T, Amherst Junction, is on the Advisory Board for the Good News Fellowship Church. The biggest concern is the safety of the children. Mr. Oliver stated mini warehouses attract unwanted items.

Margaret Newsome, 608 Frederick Street, is a head teacher at Canaland Day Care. Ms. Newsome described an instance when a fast car drove through the lot when she was out with the day care children. Ms. Newsome chose the Academy because she wanted careful supervision for her children. When the children are taken on nature walks, they need to cross the parking lot to get to the trail.

John Cychosz, 3798 Highway Y, said the concern is to provide a safe atmosphere. Mr. Cychosz feels the overall quality of the area will decrease if the expansion of the commercial development is approved.

Tiffany Aue, 1319 W. River Drive, is concerned with having a storage area in a secluded area. Ms. Aue does appreciate the fact that Mr. Worzalla put up a fence along the property.

Perry Worzalla, 6190 County B, said his biggest concerns are the integrity and safety of the Good News Fellowship property and also the patrons of the proposed storage facilities. The proposed storage area is not well lit. Is this the most appropriate area for the storage units or is there a more suitable area?

Julie Worzalla, 2740 County Road P, stated her husband has been hired to clean out storage lockers that payments were not paid on. In the past, there were hazardous chemicals found in these types of units.

Mike Fasula, 911 Ninth Street, Plover, reiterated the overall concern of the parents and staff is the safety of the children.

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

12. Resolution on the above.

Ald. Stroik asked what options does the Council have within the current zoning whether this request can be denied or placing restricted uses?

Director Gardner explained the property is currently zoned commercial along with the church's property. In this case, there are certain classes of use that are called conditional. As conditional, those are uses that are not necessarily automatically allowed everywhere. A set of standards can be applied to judge whether a request should be approved or not. To determine if the Council should approve or reject the request, the council members must look at the standards and find that the request will not meet one or more of the standards and base your conclusion on those

standards.

Ald. Molski would like to know along which property line did Mr. Worzalla construct the fence?

Kent Worzalla, 1403 Torun Road, stated a six-foot fence was constructed on the west and south lot lines.

Mayor Wescott asked if there is any exterior lighting to the facility?

Kent Worzalla responded there are yard lights on telephone poles outside the building.

Ald. Seiser asked where are we at today as far as the conditions that we are dealing with?

Director Gardner said the Plan Commission established conditions for this request. The Council should identify which of these conditions the request does or does not comply with.

Mayor Wescott stated the Council can create additional uses as well.

Ald. Sowieja is concerned that there is not an annual review included with the conditional uses.

Ald. Rackow stated the owner of this property constructed a 6' fence instead of putting protective boulders between his property and the soccer fields. The alderman noted there is a section of flood plain between this development and the single family housing.

Ald. Phillips asked if the driveway to the church was in consideration of this conditional use?

Pastor Mallek said the drive was graded and paved in 1994.

Ald. Phillips stated so in reality the road was put in after the buildings where there.

Pastor Mallek replied, yes.

Ald. Sowieja moved, Ald. Barr seconded, for adoption of the resolution with the following amendments: 1) item #6 replace the protective boulders with a 6' fence, 2) add a condition that the lease include a provision that the owner inspect the storage units, and 3) to add a sunset clause of December 31, 2004.

Ald. Markham asked what is the City looking for by adding a sunset clause or annual inspection of the property?

Mayor Wescott responded complaints registered to the police and fire departments.

Ald. Sowieja is concerned with setting a sunset clause of one year. If there are any concerns, they will not necessarily arise in just one year.

Mayor Wescott stated if a conditional use is granted with an annual review, the only thing that will happen is orders will be issued to clean the property.

Director Gardner noted this is private property and the fire department does not have the authority to open doors and inspect the property. The Director outlined the difference between an annual review and a sunset clause.

Ald. Barr would like to know if these types of storage units have been proven to be a problem in our area?

Director Gardner said there was a rumor once that someone was trying to live in one of these types of units.

Ald. Stroik said with looking at the conditions set, the alderman is not sure the Council has the grounds to reject the request but he understands the citizens' concerns. Typically, are these types of units open 24 hours per day?

Director Gardner said an additional condition can be applied to limit the hours of service.

Ald. Walther is concerned with the safety issue and the property values of the neighboring properties. The alderman feels once we start getting complaints, it is already too late.

Ald. Seiser has reservations that this is too dense of a location for the storage units.

Mayor Wescott said the owner can structure a lease where the owner can inspect the units.

Kent Worzalla replied the lease is structured in great detail by his attorney. The lease is structured in a way that Mr. Worzalla can inspect the units on a weekly basis.

Roll Call: Ayes: Ald. Sevenich, Markham, Sowieja, Barr, Rackow, Molski, Stroik, Phillips, Moore.

Nays: Ald. Walther, Seiser.

Ayes - 9. Nays - 2. Motion carried.

13. Public hearing - amending Zoning Ordinance which would classify 641 Second Street North, as "R-3" Two-Family Zoning from "B-4" Commercial Zoning, was declared open by the Mayor.

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

14. Ordinance on the above.

Ald. Sevenich moved, Ald. Markham seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Moore, Phillips, Stroik, Molski, Rackow, Barr, Sowieja, Seiser, Markham, Walther, Sevenich.
Nays: None. Motion carried.

15. Personnel Committee meeting of October 13, 2003.

Ald. Rackow moved, Ald. Molski seconded, for approval of the Personnel Committee minutes of October 13, 2003.

Roll Call: Ayes: Ald. Moore, Phillips, Stroik, Molski, Rackow, Barr, Sowieja, Seiser, Markham, Walther, Sevenich.
Nays: None. Motion carried.

16. Public Protection Committee meeting of October 13, 2003.

Ald. Phillips moved, Ald. Stroik seconded, for approval of the Public Protection Committee minutes of October 13, 2003.

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

17. Board of Public Works meeting of October 13, 2003.

Ald. Sowieja moved, Ald. Moore seconded, for approval of the Board of Public Works minutes of October 13, 2003.

Roll Call: Ayes: Ald. Sevenich, Walther, Markham, Seiser, Sowieja, Barr, Rackow, Molski, Stroik, Phillips, Moore.
Nays: None. Motion carried.

18. Finance Committee meeting of October 13, 2003.

Ald. Barr moved, Ald. Molski seconded, for approval of the Finance Committee minutes of October 13, 2003, with item #6 pulled for further discussion.

Gary Tuskowski, 400 Forest Street, is concerned the culling of the deer will draw in the deer that are not in the City. The City needs to consider the danger and liability with the culling of the deer. A deer shot by arrowhead can still run a long way. Baiting of deer is banned for the reason to stop CWD. The City should also look at whom they are hiring to do the job just to save money. Hiring people who never did this before because they are an experienced instructor does not make them professional.

Chris Piotrowski, 800 Whiting Avenue, said the taxpayers will not stand for paying people to shoot deer. There are a lot of people that live in the Stevens Point area that would be willing to participate in some type of hunt. Mr. Piotrowski suggested taking applications to select a committee. This committee would decide who and how to cull the deer. The law enforcement should also be involved because this is a safety issue. Surrounding property owners of where the hunt will take place should be notified.

Roll Call: Ayes: Ald. Sevenich, Walther, Markham, Seiser, Sowieja, Barr, Rackow, Molski, Stroik, Phillips, Moore.
Nays: None. Motion carried.

Ald. Phillips stated in 2001, the committee was appointed to look into the deer problems in the City. The committee originally asked for \$5,000 to cull the deer which was \$100 per deer to hunt by gun. That request was turned down by the Council. More complaints and car/deer accidents within the City have again brought the issue of culling of the deer before the Council. The City of Stevens Point can bait for culling purposes only. All the archers will sign a waiver that will be written up by the City's insurance carrier. Any City resident wanting a deer after they are culled can sign up in the City Clerk's office to pick up a deer if this is approved. The alderman feels \$3,000 is a minimal cost.

Mayor Wescott would like to know what the plans are for the year 2005.

Ald. Phillips said another \$3,000 was requested for next year depending on how successful this year is.

Mayor Wescott asked when the Deer Management Committee meets would you be willing to consider other individuals to participate for 2005?

Ald. Phillips said absolutely.

Ald. Molski supports the culling of the deer because of the number of calls she has been receiving.

Mayor Wescott clarified the culling of the deer was already approved. The item before the Council tonight is for the funding to cull the deer.

Ald. Rackow stated this is the first step in a long term program. The alderman invited volunteers for the next step of the process.

Ald. Walther agrees deer culling and management is needed. The alderman does not think this is the best plan to use City resources.

Ald. Seiser also agrees the culling is a good idea. The alderperson does not feel the taxpayers money should be used for the culling.

Ald. Markham asked how the decision to hire sharpshooters came about?

Ald. Barr said the City had open hunts on city property with minimal results.

Ald. Markham asked who would handle the complaints when a deer is wounded but not dead?

Ald. Phillips said that will be dealt with on a case by case basis. The alderman does not feel there will be problems.

Ald. Markham asked what criteria will be used to determine whether this hunt was successful?

Ald. Barr said the Committee would discuss what was accomplished this year with the DNR.

Mayor Wescott asked when the Deer Management Committee met with DNR representatives did they offer how to establish criteria for measuring success?

Ald. Barr said what is being proposed is what the DNR has recommended.

Ald. Molski said the City needs to take action to get started.

Tom Jakusz was hired to do the culling of the deer in the City. Mr. Jakusz said after paying between \$800 and \$1,000 for the bow hunters, he estimated he would donate about \$2,000 in gift certificates for free archery shoots at his business to the City to be granted to youth groups.

Ald. Stroik asked if there is a targeted area for the culling of the deer?

Ald. Phillips replied there are four areas in the City.

Ald. Sowieja is in favor of the deer culling. The only problem the alderman has is spending city money for the culling. The alderman hopes other alternatives will be used in the future.

Ald. Walther asked if the \$3,000 includes the pick up and storage of the deer?

Ald. Phillips said the City will get volunteers to pick up and store the deer.

Ald. Molski moved, Ald. Sevenich seconded, to approve the \$3,000 for the culling of the deer in 2003.

Ald. Moore feels there are many avenues that have not been looked into. There is plenty of experience out there to take advantage of.

Roll Call: Ayes: Ald. Phillips, Stroik, Molski, Rackow, Barr, Markham, Sevenich.

Nays: Ald. Moore, Sowieja, Seiser, Walther.

Ayes - 7. Nays - 4. Motion carried.

19. Board of Parks Commissioners meeting of October 1, 2003.

Ald. Phillips moved, Ald. Stroik seconded, for approval of the Board of Park Commissioners minutes of October 1, 2003.

Ald. Seiser noted the next meeting of the Board of Park Commissioners is to discuss what is going on in the different parks in the City. The next Board of Park Commissioners meeting is scheduled for Tuesday, November 4, 2003, at 6:30 p.m.

Roll Call: Ayes all.

Nays none. Motion carried.

20. Board of Water and Sewage Commissioners meeting of October 15, 2003.

Ald. Rackow moved, Ald. Seiser seconded, for approval of the Board of Water and Sewage Commissioners minutes of October 15, 2003.

Roll Call: Ayes all.

Nays none. Motion carried.

21. Reports:

Police and Fire Commission meeting of October 14, 2003.

Comptroller-Treasurer's report - August 2003.

Transportation Commission meeting of October 9, 2003.

Ald. Molski moved, Ald. Seiser seconded, to accept the reports and place them on file.

Roll Call: Ayes all.

Nays none. Motion carried.

22. Mayor's appointments.

Telecommunications Commission - 2-year term expires October 10, 2005.

Reappoint Jack Curtis 717 Green Avenue

Reappoint Nichole N. Lysne 1825 Gilkay Avenue

Reappoint Tony Patton 3917 Jordan Lane

Telecommunications Commission - 1-year term expires December 31, 2004.

Reappoint Ald. Hans Walther 2424 Ellis Street

Reappoint Ald. Elbert Rackow 1824 Gilkay Avenue

Reappoint Ald. Mike Phillips 2302 Water Street

Smongeski Health Fund Committee - 1 year term expires September 1, 2004.

Reappoint Cherrie Pavelec-Marti 900 Illinois Avenue

Reappoint Carol Pearson 400 W. Maple Ridge Drive

Ald. Barr moved, Ald. Rackow seconded, for confirmation of the Mayor's appointments.

Roll Call: Ayes all.

Nays none. Motion carried.

23. Persons who wish to address the mayor and council for up to three (3) minutes on a non-agenda item.

Mike O'Meara has already observed several deaths as result of smoking. This is a serious matter. If you cannot do the right thing on this issue or if your office means so much to you that you will not do the right thing, what is your office worth?

Mary Ellen Straughn is concerned with getting BreatheFREE on the Public Protection Committee agenda. Ms. Straughn suggested the Council consider a different format for placing items on the agenda. BreatheFREE needs to address this issue in an open public forum.

Loretta Wyhuske commended the Mayor, staff, and Council members for all the protective ways they have provided to the citizens. Now, the smoke-free coalition is asking you to listen to the health experts about secondhand smoke issues. Ms. Wyhuske is particularly concerned about the young people that work in businesses in which they are daily exposed to secondhand smoke.

Faye Tetzloff is the Health Officer for Portage County. Restricting smoking in public places is a matter of public health. Exposure of secondhand smoke should not be treated any differently. Ms. Tetzloff as a Health Officer would love to have the authority to say this is a county issue and a human health hazard. Unfortunately, she cannot do that. The way the State government has set up the ordinance process is it must first start at the municipal level.

Bill Ogdon is a past smoker who was diagnosed with cancer of the larynx. Mr. Ogdon had asked his doctor what he should do so the cancer does not come back. Mr. Ogdon's doctor told him not to smoke or frequent places where there is secondhand smoke. It is important for the youth in our community to have clean air. The only way to do this is to outlaw smoking in all workplaces.

Doug Henderson is interested in health care and prevention. One of the issues Mr. Henderson has looked into was nonsmokers' rights. It is time for the City of Stevens Point to look at whether we are going to be leaders or followers on this issue.

Justin Singleton is appalled by this movement to expect the City of Stevens Point to become a smoke-free community. The people who own these businesses work hard to keep their businesses successful. The people who want to say what the business owners can and cannot do inside their own private property are far extending what their reach should be. The restaurants in this community who allow smoking made the decision because they feel it is good for their business. The people who do not like secondhand smoke should not go to the restaurants who allow smoking. Mr. Singleton said perhaps these restaurants will voluntarily decide not to allow smoking. If the businesses want to allow smoking that is their decision. It should not be the decision of the BreatheFREE people.

John Munson represents the Portage County Tobacco Coalition. Mr. Munson's main point is to have serious discussion about the smoke-free issue. The goal of BreatheFREE is to have a serious discussion and to hear all sides. It is important for the Council to have a public hearing to hear both sides, listen carefully and make a decision based on what the beliefs are.

Dr. Tom McIntee stated a large group of physicians that serve this community with health care agree smoke-free is a very significant issue. The health risks of the nonsmoker are clear. Our youth are the future of Stevens Point. They deserve a safe environment.

Guy Janssen is the owner of a smoke-free business. Mr. Janssen previously owned a restaurant that allowed smoking. It was a tough decision but Mr. Janssen decided to make that restaurant a smoke-free establishment. He was fearful of losing business. Mr. Janssen found that a few customers had stopped coming to the restaurant. The restaurant's business actually increased when customers found out it was a smoke-free establishment. When Mr. Janssen opened his current establishment, he did not even consider allowing smoking.

Bill Downs was a smoker for 21 years who quit smoking a number of years ago. In 1989, the doctor told Mr. Downs that he had lost 70% of his lung capacity from cigarette smoking. Mr. Downs feels the taverns should also be included as smoke-free establishments. The question is, does a person have the right to smoke? Every right has along with it a responsibility.

Bill Hetler stated studies show there is clear evidence that if you are exposed to cigarette smoke you are at risk of lung cancer. Mr. Hetler hopes the City Council will put this issue on the table for discussion. Single mothers and students cannot afford to walk away from their jobs just because they allow smoking. They need their jobs.

Ed Flatoff along with his family owns the South Point Restaurant which is an establishment that allows smoking. A public hearing is being conducted everyday by the people of Stevens Point. Mr. Flatoff feels the Council is aware there are two sides to this issue and it is not all about nonsmoking. There are a large number of nonsmoking restaurants in Stevens Point and the people are choosing which way to go. Mr. Flatoff believes this is the way it should continue. The proposed ordinance is an insult to the intelligence of the people of Stevens Point. A large number of patrons of his establishment have already said they will leave and go elsewhere if the restaurant becomes smoke-free.

Alicia Guarino is 17 years old and a junior at SPASH. Ms. Guarino stated teenagers do not have very many choices of places to work that are smoke-free which is not fair.

Kelly Flatoff-Jurgella is the manager of South Point Restaurant. The future of South Point Restaurant is being threatened by the ban on smoking. There are already a great number of restaurants in the Stevens Point area that are smoke-free. The people of Stevens Point have a wide choice of what type of atmosphere they would like to dine in. Please allow the community that choice. It is a smart business decision to take in consideration what their customers want.

24. Adjournment - 9:40 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.

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