

REGULAR COUNCIL MEETING

Council Chambers
County-City Building

April 18, 2011
7:00 P.M.

Mayor Andrew J. Halverson, presiding

Roll Call: Present: Ald. Mallison, Suomi, O'Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore

Also Present: City Attorney Molepske, Clerk Moe, Comptroller-Treasurer Schlice, Directors Schrader, Halverson, Lemke, Ostrowski, McGinty; Assistant Chief Kudronowicz, Assessor Siebers, Assistant to the Mayor Pazdernik, Kari Yenter, Matt Brown (Portage County Gazette), B. C. Kowalski (Stevens Point Journal)

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

Mayor Halverson announced that Assistant Fire Chief Tracy Kujawa has been appointed interim Fire Chief.

The Mayor noted that the snow will be plowed if needed for the predicted storm; however, it will be a slower process since the frost is already out of the ground.

3. Consideration of the minutes of the Common Council meeting on March 21, and the Special Council meeting of April 11, 2011.

Ald. R. Stroik moved, Ald. Moore seconded, approval of both of the minutes and place them on file.

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.

Kent Hall, 200 Pine Bluff Road, Stevens Point, WI 54481:
Item #6 – Resolution-International Migratory Bird Day

Krista Olson, 3317 Della Street, Stevens Point, WI 54481:
Item #12 – Ordinance-Restriction of motorized boats in Spring Slough

Ald. Slowinski, 6th District:
Item #5 – Persons who wish to address Mayor and Council

Ald. O'Meara, 3rd District:
Item #5 – Persons who wish to address Mayor and Council

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

Ald. Slowinski reminded everyone that there will be a 6th District spring clean-up on April 30, 2011, starting at 9:00 a.m.

Ald. O'Meara said the election is over and it is time to clean the slate and do the work that they were elected to do.

6. Consideration and possible action of Resolution - International Migratory Bird Day.

Mayor Halverson noted there is an error on the date in the resolution. He said the date should be May 7 not May 14, 2011.

Kent Hall, 200 Pine Bluff Road, said the Bird City group is working toward an award and to help with this effort, they are selling wall plaques for \$15. He asked the Council to support the resolution.

Ald. R. Stroik **moved**, Ald. Wiza seconded, approval of the Resolution for the International Migratory Bird Day on May 7, 2011.

Ald. Suomi asked where the Bird Day wall plaques can be purchased.

Mr. Hall said you can email him at kentsue@charter.net.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Mallison.
Nays: None. Motion carried.

7. Consideration and possible action of Ordinance Amendment – Repealing the Board of Review Extension Ordinance.

Assessor Siebers said there was a recent court ruling which makes the current city ordinance unconstitutional. He said it was recommended that any city or village

that passed an ordinance consistent with Act 86 should repeal it at the next available opportunity.

Ald. Moore asked if this means a property owner would have no option for review.

Assessor Siebers said the entire ordinance was ruled unconstitutional.

Ald. Wiza asked if this will affect anyone this year.

Assessor Siebers said he does not believe so.

Ald. Moore **moved**, Ald. Slowinski seconded, to repeal the ordinance for the Board of Review extension.

Roll Call: Ayes: Ald. Mallison, Suomi, O'Meara, Wiza, M. Stroik, Slowinski,
Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

8. Consideration of the minutes and actions taken at the Personnel Committee meeting of April 11, 2011.

Ald. Molski **moved**, Ald. M. Stroik seconded, approval.

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

9. Consideration of the minutes and actions taken at the Public Protection Committee meeting of April 11, 2011.

Ald. R. Stroik **moved**, Ald. Wiza seconded, approval of the minutes and place them on file.

Ald. Wiza would like the minutes to reflect the discussion that this has already been cleared with the food pantries and they agree to process the deer themselves.

Ald. Trzebiatowski said at least one of the food pantries agreed to pay for the deer processing.

Ald. Moore stated bartenders with licenses coming due in June should start to renew their licenses now.

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

10. Consideration of the minutes and actions taken at the Finance Committee meeting of April 11, 2011, and the minutes of the Special Finance meeting of March 21, 2011.

Ald. Moore moved, Ald. Mallison seconded, to place the minutes on file and affirm the actions of the April 11, 2011 meeting and the minutes are placed on file for the Special Finance meeting of March 21, 2011.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Mallison.
Nays: None. Motion carried.

11. Consideration of the minutes and actions taken at the Board of Public Works meeting of April 11, 2011.

Ald. O'Meara moved, Ald. Moore seconded, to approve the actions and place on file the minutes of the Board of Public Works meeting of April 11, 2011.

Ald. R. Stroik said he received the information that he had requested at the Board of Public Works meeting and it is available if anyone is interested.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Mallison.
Nays: None. Motion carried.

12. Consideration and possible action on Ordinance – Restriction of Motorized Boats in the “Spring Slough” Area of McDill Pond.

Ald. Slowinski moved, Ald. Trzebiatowski seconded, approval of the ordinance restricting motorized boats in the “Spring Slough” Area of McDill Pond.

Ald. Moore asked why the Village of Whiting is named in Section 3 of the ordinance since the entire area is in the city.

Director Lemke said the language is mostly for follow up with the DNR.

Ald. Slowinski said the Village of Whiting plans to address this issue with their Board.

Ald. Suomi asked who will monitor this ordinance.

Mayor Halverson replied the McDill Inland Lake Protection District.

Ald. Suomi asked who is in this group.

Mayor Halverson said it is the residents that own property on McDill pond.

Ald. Suomi asked if there will be signage.

Mayor Halverson replied yes.

Roll Call: Ayes: Ald. Mallison, Suomi, O'Meara, Wiza, M. Stroik, Slowinski,
Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

13. Consideration of the actions taken at the Special Board of Public Works meeting of April 18, 2011.

Clerk Moe read the actions taken at the Special Board of Public Works meeting.

Ald. Mallison **moved**, Ald. R. Stroik seconded, to affirm the actions and place the minutes on file.

Ald. Slowinski asked why there is only one quote for the airplane tug.

Director Lemke said they are the only company that has the market for what the City is looking for.

Ald. Slowinski asked if this equipment can be upgraded.

Director Lemke replied the equipment is capable of pulling the entire range of airplanes that use this airport.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, M. Stroik, Wiza, O'Meara, Suomi, Mallison.
Nays: None. Motion carried.

14. Consideration of the minutes and actions taken at the Board of Water & Sewage Commissioners meeting of April 11, 2011.

Ald. Molski **moved**, Ald. Moore seconded, to place the minutes on file and affirm the actions of the Board of Water & Sewage Commissioners.

Roll Call: Ayes: Ald. Mallison, Suomi, O'Meara, Wiza, M. Stroik, Slowinski,
Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

15. Consideration of the minutes and actions taken at the Police and Fire Commission meetings of April 1, April 5, and April 11, 2011.

Ald. Mallison **moved**, Ald. R. Stroik seconded, approval of the minutes.

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

16. Consideration of the Statutory Monthly Financial Report of the Comptroller-Treasurer.

Ald. Moore moved, Ald. Slowinski seconded, to accept the report and place it on file.

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

*****17. Adjourn into closed session for the purpose of discussion with City Attorney on pending lawsuit – Burhardt and discussion of possible settlement per 19.85(1)(g) Wis. Stats.**

Mayor Halverson noted that the spelling of “Burhardt” is incorrect on the agenda.

Ald. O’Meara moved, Ald. Brooks seconded, to adjourn into closed session at 7:30 p.m.

Roll Call: Ayes: Ald. Mallison, Suomi, O’Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

Ald. Moore moved, Ald. Brooks seconded, to reconvene into open session at 7:45 p.m.

Roll Call: Ayes: Ald. Moore, Brooks, R. Stroik, Molski, Trzebiatowski, Slowinski, M. Stroik, Wiza, O’Meara, Suomi, Mallison.
Nays: None. Motion carried.

*****18. Reconvene [Approximately 5 minutes later] into open session to discuss possible settlement of Burhardt lawsuit and possible action on the same.**

Ald. Wiza moved, Ald. M. Stroik seconded, to accept the settlement for the Burkhardt lawsuit in the amount of \$29,347.24.

Roll Call: Ayes: Ald. Mallison, Suomi, O’Meara, Wiza, M. Stroik, Slowinski, Trzebiatowski, Molski, R. Stroik, Brooks, Moore.
Nays: None. Motion carried.

19. Recognition of and Remarks by Ald. Mallison.

Mayor Halverson congratulated Ald. Mallison for an excellent term.

Ald. Mallison thanked the residents of the First District for allowing him to serve them. He highlighted some of the accomplishments in his district such as the mall project, diagonal parking on Main Street, square redevelopment, and one-way traffic on Franklin Street.

20. Adjournment.

Adjournment at 7:50 p.m.