

Meeting Minutes  
REGULAR COUNCIL MEETING  
Council Chambers  
January 18, 1999  
County-City Building  
7:00 P.M.

Mayor Gary W. Wescott, presiding

1. Roll Call: Present: Ald. Sevenich, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger, Nealis, Phillips, Niedbalski

Excused: Ald. Walther

Also Present: Comptroller-Treasurer Schlice, City Attorney Molepske, City Clerk Zdroik, Directors Gardner, Schrader, Van Alstine; Police Chief Carpenter, Fire Chief Ugorek, Water/Sewage Adm. Disher, Assessor Kuehn, Personnel Specialist Jakusz, Adm. Asst. Folke, Design Engineer Yauch, Secretary Kari Yenter, Susan Kampmeier (Journal), Mike Kemmeter (WIZD)

2. Salute to the flag and prayer.

Mayor Wescott led the salute to the flag and prayer stated that all across the nation today, we as a country pause to observe Martin Luther King's birthday. Martin Luther King III has called for students to stand up and do something in their communities and in the states they live to commit to one day of kindness and one day of justice. Participating teachers will dedicate to teaching King's values of non-violence, compassion and honesty.

3. Approval of minutes of the Common Council meeting of December 21, 1998.

Ald. Rackow moved, Ald. Barr seconded, to approve the council minutes of December 21, 1998.

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

4. \*Persons who wish to address the mayor and council on specific agenda items.

Terry Anderson Item #10 - Request to amend Class A Beer/Liquor  
2989 Maple Ridge Road  
Stevens Point, WI 54481

Dave Diamond Item #10 - Request to amend Class A Beer/Liquor  
2510 Pine Drive  
Plover, WI 54467

Liz McDonald Item #11 - Developing Disc Golf Courses  
1760 Strongs Avenue  
Stevens Point, WI 54481

Jim Schickert Item #10 - Request to amend Class A Beer/Liquor  
1600 Academy Avenue  
Stevens Point, WI 54481

Randy Schukar Item #11 - Developing Disc Golf Courses  
252 Georgia Street  
Stevens Point, WI 54481

Deb Knippel Item #10 - Request to amend Class A Beer/Liquor  
1749 Elk Street  
Stevens Point WI 54481

Dan Tikalsky Item #10 - Request to amend Class A Beer/Liquor  
2641 Hickory Drive  
Plover, WI 54467

Craig Giese Item #10 - Request to amend Class A Beer/Liquor  
710 Coventry Drive  
Plover, WI 54467

5. Resolution - City's participation Census 2000.

Ald. Niedbalski moved, Ald. Aldinger seconded, to adopt the resolution - City's participation Census 2000.

Ald. Kedrowski asked for an explanation of how the Census 2000 came about and if this is being done by other municipalities around the state.

Clerk Zdroik stated Census 2000 came from the Bureau of Census in Chicago and all municipalities are getting involved in the census.

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

6. Personnel Committee meeting of January 11, 1999.

Ald. Rackow moved, Ald. Perlak seconded, for approval of the Personnel Committee minutes of January 11, 1999.

Roll Call: Ayes: Ald. Niedbalski, Phillips, Nealis, Aldinger, Rackow, Barr, Kedrowski, Perlak, Pazdernik, Sevenich.  
Nays: None. Motion carried.

7. Board of Public Works meeting of January 11, 1999.

Ald. Perlak moved, Ald. Phillips seconded, to approve the Board of Public Works minutes of January 11, 1999.

Roll Call: Ayes: Sevenich, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger, Nealis, Phillips, Niedbalski.  
Nays: None. Motion carried.

8. Ordinance - Placing Snow in the Street.

Ald. Niedbalski moved, Ald. Pazdernik seconded, for adoption of the ordinance.

Roll Call: Ayes: Niedbalski, Phillips, Nealis, Aldinger, Rackow, Barr, Kedrowski, Perlak, Pazdernik, Sevenich.  
Nays: None. Motion carried.

9. Finance Committee meeting of January 11, 1999.

Ald. Pazdernik moved, Ald. Barr seconded, for approval of the Finance Committee minutes of January 11, 1999.

Roll Call: Ayes: Sevenich, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger, Nealis, Phillips, Niedbalski.  
Nays: None. Motion carried.

10. Public Protection Committee meeting of January 11, 1999.

Ald. Sevenich moved, to pull item #5 of the Public Protection Committee minutes of January 11, 1999, for further discussion.

Ald. Niedbalski moved, to pull item #1 of the Public Protection Committee minutes of January 11, 1999, for further discussion.

Ald. Rackow moved, Ald. Niedbalski seconded, to approve the Public Protection Committee minutes of January 11, 1999, with items #1 and #5 pulled for discussion.

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

Item #1 - Request to Transfer of "Class B" Combination License

Ald. Niedbalski said he approves items 1 through 13 on the license list of the Public Protection Committee of January 11, 1999, and the change of agents only. The only item needed to take action on is the transfer of the "Class B" combination license.

Ald. Niedbalski moved, Ald. Perlak seconded, to approve the license list and change of agents from the Public Protection Committee minutes of January 11, 1999, with the transfer of "Class B" combination license pulled.

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

Ald. Niedbalski moved, Ald. Pazdernik seconded, to postpone action on this item for 30 days requesting to transfer the "Class B" combination license at Rhody's, 2301 Church Street from Rhody Mallick to Jean M. Jakusz.

City Attorney Molepske said this license is one of the ten taverns under investigation for alleged commercial gambling charges from last spring. For the council to approve the transfer for Rhody's would be unfair since the penalty, if convicted of video gambling charges, is revocation of the liquor license. Until we know what is going to come forth through the District Attorney's office this month, the City Attorney suggested holding up action on the transfer until next month.

Roll Call: Ayes: Ald. Sevenich, Pazdernik, Perlak, Barr, Rackow, Aldinger, Nealis, Phillips, Niedbalski.  
Nays: Ald. Kedrowski. Motion carried.

Item #5 - Request to amend Section 12.14 of the Revised Municipal Code for Class A Beer/Liquor

Terry Anderson, on behalf of Copps Corporation, asked the mayor and council to please review the current liquor ordinance. The limited number of check lanes during peak business times creates congestion, thus keeping them from giving their customers fast and efficient service they deserve. A change in the ordinance on the number of check lanes will help them accomplish their mission and provide their customers better service.

Dave Diamond, Copps Corporation, talked about adjacency of the cash registers to the liquor department as the ordinance is currently written. Copps does not have that right now and does not qualify for "adjacent to" so they are unable to serve their customers the way they would like to. All he is asking is that the ordinance be changed.

Jim Schickert, Point County Market, agreed with the decision made last Monday, January 11, 1999, at the Public Protection Committee meeting. To best serve the customers, he is asking to increase the number of cash registers from the current three cash registers to four cash registers.

Deb Knippel of Ministry Behavior Health does not support relaxing any of the rules for liquor sales which could increase chances for underage people to acquire alcohol. Our present code is at least preventing underage persons from purchasing alcohol for themselves. Why change the present code when it is working well. Ms. Knippel reminded the Council that if we want a healthier community for youth and families, we need to look at ways to reduce the impact of alcohol and not ways to make it easier to market and promote alcohol.

Dan Tikalsky, Copps Corporation, stated customers are being penalized having to only choose from three lanes to check out liquor. This is especially a problem during peak times such as holidays and between 4:00 p.m. and 5:00 p.m. They should not have to write two checks and stand in two lines.

Craig Giese, Copps Security, supports liquor being contained in a separate room but the customer should have the ability to check out liquor at any register.

Ald. Rackow said what we have here is an option to vote on the small relaxing of the ordinance from the Public Protection Committee last week. We could also make no change to the ordinance or another option could be to refer this matter back to the Public Protection Committee. If action is taken tonight, Ald. Rackow asked the mayor for an estimate of how soon before this item can be returned to the Committee for further change?

Mayor Wescott said once this item is acted upon by the council unless significant new information is provided, a rule of thumb of this administration is to wait a minimum of one year to return to the Committee.

Ald. Perlak supports keeping the separate room for alcohol but would support increasing the number of registers to four.

Ald. Sevenich stated why change a law if we don't have to. Planning on sporting events or parties could be done ahead of time. The two hour extension on Sundays will not effect that much business for any retailer. No one is here this evening representing the small businesses, how will the change affect them?

Mayor Wescott reiterated the motion passed at the Public Protection Committee meeting on Monday, January 11, 1999, for the benefit of the audience watching on channel 3 the motion is to leave the current ordinance as is but change the opening time to 8:00 a.m. on Sundays.

Ald. Niedbalski voted for the small change at the Public Protection Committee meeting but now does not see a need to sell liquor that early on Sundays. Ald. Niedbalski would support increasing the numbers of cash registers to check out liquor from three to four cash registers.

Ald. Pazdernik voted for the change in hours on Sunday mornings at the Public Protection meeting, however, tonight will vote against the change in opening hours for Sunday mornings. To prevent underage consumption, he disagrees with the opening hours. He would like to leave it the way it is.

Ald. Phillips stated it has to do with money, their bosses come to them and say, "You've got to sell more liquor and make more money". Protect the small stores in the community that just sell liquor.

Ald. Aldinger waited to hear from her constituents and did not receive a single call. The alderperson agrees with Ald. Sevenich and supports no change in the current ordinance.

Ald. Sevenich moved, Ald. Pazdernik seconded, to retain section 12.14 of the revised municipal code for Class A Beer/Liquor as currently written.

Ald. Niedbalski moved, Ald. Nealis seconded, to amend the motion and increase the current three cash register requirement to four cash registers.

Ald. Nealis asked if the fourth register would be operated by a licensed employee?

Chief Carpenter said a licensed person must be on the premises at all times and can supervise an employee not licensed who is at least 18 years of age. Chief Carpenter also clarified the meaning of adjacent to as meaning directly next to and not walking through the entire store from the separate liquor department to get to the cash registers.

Ald. Kedrowski asked what type of training do the licensed individuals have.

Chief Carpenter said in order to obtain a license, the individual must come before the Public Protection Committee and attend a four hour responsible beverage service course at Mid-State Technical College.

Ald. Kedrowski questioned employees under the age of 21 years and able to sell liquor.

Chief Carpenter stated the individual can be under the age of 21 years but must be at least 18 years of age.

Ald. Kedrowski is concerned during peak times that the employees will not always check customer's identification for legal age.

Ald. Niedbalski asked how are the stores currently checking people for age.

Jim Schickert said at Point County Market when they scan liquor items it will not allow that item to register until a date of birth is entered.

Ald. Rackow is reluctant to open more registers since the store representatives have indicated the need for increased registers are only needed during certain times and not at all times.

The vote is on Ald. Niedbalski's amendment to increase the number of cash registers from three to four cash registers.

Roll Call: Ayes: Ald. Perlak, Nealis, Niedbalski.

Nays: Ald. Sevenich, Pazdernik, Kedrowski, Barr, Rackow, Aldinger, Phillips.

3 Ayes - 7 Nays. Motion lost.

Ald. Rackow moved, Ald. Niedbalski seconded, to amend the motion and refer entire matter back to the Public Protection Committee for further discussion.

Ald. Barr would like to settle this matter tonight.

Ald. Pazdernik agrees that a decision be made tonight.

Ald. Kedrowski asked if the City Attorney had anything to add to the discussion of the ordinance change?

City Attorney Molepske stated no.

Roll Call: Ayes: Ald. Niedbalski, Nealis, Rackow, Perlak.

Nays: Ald. Phillips, Aldinger, Barr, Kedrowski, Pazdernik, Sevenich.

4 Ayes - 6 Nays. Motion lost.

Ald. Barr noted starting two hours early on Sunday mornings is not going to make any liquor store wealthy nor any drinkers thirsty. It will give us a small town conservative look as opposed to the big city look.

Ald. Niedbalski agrees with maintaining the current 10:00 a.m. opening time for Sunday but feels there is still a need for more cash registers.

The vote is to retain the ordinance as it is currently written.

Roll Call: Ayes: Ald. Phillips, Nealis, Aldinger, Rackow, Barr, Kedrowski, Pazdernik, Sevenich.

Nays: Ald. Niedbalski, Perlak.

8 Ayes - 2 Nays. Motion carried.

11. Board of Park Commissioners meeting of January 6, 1999.

Ald. Kedrowski moved, Ald. Rackow seconded, for approval of the Park Commissioners minutes of January 6, 1999, with item #6 pulled for discussion.

Roll Call: Ayes: Ald. Sevenich, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger, Nealis, Phillips, Niedbalski.

Nays: None. Motion carried.

Ald. Kedrowski said last year there were some problems at the Mead Park location due to the congestion of 18 holes in that area. The front nine holes were taken out with plans to look for an alternative location. If the disc golf course is relocated to the Whitetail property, will this property become a new city park and what costs will the city incur to help prepare and maintain the course area?

Ald. Kedrowski moved, Ald. Perlak seconded, to refer item #6 of the Park Commissioners minutes of January 6, 1999, back to the Park Commissioners until next month.

Randy Schukar, Stevens Point Area Flying Disc Association, said heavy usage of the Mead Park course prompted disc golf officials to start looking for a new site. Disc golf has become a very popular sport and it is economical to play. Mr. Schukar would like the council to consider the proposal to develop not only one but two additional sites.

Liz McDonald, Park Commissioner, was on the commission when the Mead Park location was approved for the disc golf course and never realized how popular and successful the sport would become. Take a look at the entire plan presented before you tonight for two additional sites one on the Whitetail property and the other on the Consolidated property. Additional sites would make it easily accessible and disperse the players throughout the community. The disc golf course is a natural setting and the upkeep for the course is minimal.

Ald. Rackow would like to return this item back to the Board of Park Commissioners for further information.

Ald. Nealis would like Ald. Kedrowski's question about the cost for the project answered.

Director Schrader stated the site size is about 18 acres of city land for recreational use and would not turn this land into a city park. The main problem is trying to find 15 to 20 acres of undeveloped land in the city. Mowing at the course area would run the city about \$120 per season and portable toilets for the site would cost about \$300 per season. Garbage pickup would be \$175 to \$250 per season, or less, if the city is able to work out an agreement with the Town of Hull. The benefit we are having with the community, it is definitely worth shifting some of our mowing around so the children will have the course. This project will not be completed until year 2000 and the expected costs can be put into the budget at that time.

Ald. Phillips asked if it would be possible to get moving on the development of the disc golf course to be ready for the 1999 season.

Director Schrader said Randy Schukar is raising funds for the baskets through private sponsors and will need time to raise these funds.

Ald. Phillips said there is a need for the course in this area so why wait. This a good activity for the children.

Ald. Kedrowski asked if the current nine holes will remain at Mead Park?

Director Schrader stated we are not debating the Mead Park site at this time.

Ald. Kedrowski questioned how will the City be working with the Town of Hull.

Director Schrader said the City may work with the Town of Hull chairman with possible garbage pick up and sharing parking at the site.

Ald. Kedrowski asked what the cost will be for the removal of the stumps on the Whitetail property.

Director Schrader estimated the cost for the removal of the stumps to be approximately \$160.

Ald. Kedrowski asked if there is any other city property used for recreation and not a city park.

Director Schrader said the land located around the train on the south side of the city, some is park land and some is not.

Ald. Kedrowski asked if any wooded land in the city is used for recreation but is not a city park.

Director Schrader replied the land by the airport is used for recreation and is not a park. The parks department does a lot of mowing even though the land is not a park because they have the equipment to do so.

Ald. Niedbalski asked if it would be hard to find other sites for the disc golf course.

Director Schrader said a lot of time was put into locating sites for the disc golf course and is open to suggestions for other possible sites.

Ald. Nealis said this is a good investment of under \$1200 and would definitely be a benefit to the children.

Ald. Rackow would like to offer a substitute motion.

Ald. Rackow moved, Ald. Nealis seconded, for approval of developing a disc golf course at the Whitetail Subdivision site and refer the Patch Street site back to the Board of Park Commissioners to obtain better information.

Roll Call: Ayes: Ald. Pazdernik, Barr, Rackow, Aldinger, Nealis.  
Nays: Ald. Sevenich, Perlak, Kedrowski, Phillips, Niedbalski.  
5 Ayes. 5 Nays. Tie vote. Mayor Wescott voted "Aye". Motion carried.

12. Ordinance - Parks Closing Hours.

Ald. Rackow moved, Ald. Pazdernik seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Niedbalski, Phillips, Nealis, Aldinger, Rackow, Barr, Kedrowski, Perlak, Pazdernik, Sevenich.  
Nays: None. Motion carried.

13. Board of Water and Sewage Commissioners meeting of January 11, 1999.

Ald. Perlak moved, Ald. Nealis seconded, for approval of Board of Water and Sewage Commissioners minutes of January 11, 1999.

Roll Call: Ayes: Ald. Sevenich, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger, Nealis, Phillips, Niedbalski.  
Nays: None. Motion carried.

14. Ordinance - Sanitary Sewer Service Limits.

Ald. Niedbalski moved, Ald. Rackow seconded, for adoption of the ordinance.

Roll Call: Ayes: Ald. Niedbalski, Phillips, Nealis, Aldinger, Rackow, Barr, Kedrowski, Perlak, Pazdernik, Sevenich.  
Nays: None. Motion carried.

15. Telecommunications Commission meetings of December 28, 1998, and January 4, 1999.

Ald. Rackow moved, Ald. Phillips seconded, for approval of the Telecommunications Commission minutes of December 28, 1998 and January 4, 1999.

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

16. Reports of various officers and commission.  
Comptroller-Treasurer's report of November 1998.  
Transportation Commission minutes of December 16, 1998.  
Police and Fire Commission minutes of January 12, 1999.

Ald. Pazdernik moved, Ald. Aldinger seconded, to accept the reports and place them on file.

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

17. Persons who wish to address the mayor and council on non-agenda items.

No one wished to address the mayor and council on non-agenda items.

18. Adjournment - 8:20 p.m.

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