

Meeting Minutes  
REGULAR COUNCIL MEETING  
Council Chambers  
August 16, 1999  
County-City Building  
7:00 P.M.  
Mayor Gary W. Wescott, presiding

Roll Call: Present: Ald. Sevenich, Walther, Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger, Nealis, Phillips, Niedbalski  
Also Present: Comptroller-Treasurer Schlice, City Attorney Molepske, City Clerk Zdroik, Directors Gardner, Van Alstine, Schrader; Police Chief Carpenter, Fire Chief Ugorek, Water/Sewage Adm. Disher, Assessor Kuehn, Adm. Asst. Bumgarner, Kari Yenter, Susan Kampmeier (Journal), Mike Kemmeter (WIZD), Gene Kemmeter (Portage County Gazette)

2. Salute to the flag and prayer.

Mayor Wescott stated as summer is coming to an end, students will be returning back to school. Grant the students a productive and educational school year.

3. Approval of minutes of the Regular Common Council meeting of July 19, 1999.

Ald. Rackow moved, Ald. Walther seconded, to approve the regular council minutes of July 19, 1999, with item #7 amended to approve the request at 5509 Highway 10 East as a right-turn-in and a right-turn-out only with a build up median at the expense of the developer with the driveway to be closed if and when traffic signals are installed at Wildwood Drive.

Roll Call: Ayes all.

Nays none. Motion carried.

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

Jeff Kitzerow Item #17 - Rejection of Operator License  
5434 Floral Lane  
Stevens Point, WI 54481

5. Public Hearing - issuance of Industrial Development Revenue Bonds in the amount of \$2,150,000 on behalf of the YMCA, was declared open by the Mayor.

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

6. Resolution authorizing Industrial Development Revenue Bonds for YMCA in the amount of \$2,150,000.

Ald. Barr moved, Ald. Sevenich seconded, for adoption of the resolution.

City Attorney Molepske noted the amount on the agenda item was incorrect and the public hearing and resolution were amended to reflect the change.

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

Nays: None. Motion carried.

7. Introduction of resolution vacating a 50 feet by 60 feet right-of-way- along Highway 10 East between Amber Avenue and Badger Avenue.

Clerk Zdroik read the introduction of the resolution vacating a 50 feet by 60 feet right-of-way along Highway 10 East between Amber Avenue and Badger Avenue.

Mayor Wescott stated the only thing needed tonight is a motion to introduce the resolution, no action will be taken this evening.

Ald. Aldinger moved, Ald. Pazdernik seconded, for adoption of the introduction of the resolution vacating a 50 feet by 60 feet right-of-way along Highway 10 East between Amber Avenue and Badger Avenue.

8. Public Hearing - amending Section 23.02(d)3. and Section 23.02(f)3.a. - Conditional Uses - Accessory building setback in B-4 Commercial and M-1 Manufacturing, was declared open by the Mayor.

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

9. Ordinance on the above.

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

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

Nays: None. Motion carried.

10. Joint Plan Commission and Board of Public Works meeting of August 9, 1999.

Ald. Rackow moved, Ald. Aldinger seconded, for approval of the Joint Plan Commission and Board of Public Works minutes of August 9, 1999.

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

Nays: None. Motion carried.

11. Finance Committee meeting of August 9, 1999.

Ald. Niedbalski moved, Ald. Phillips seconded, for approval of the Finance Committee minutes of August 9, 1999.

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

12. Board of Public Works meeting of August 9, 1999.

Ald. Aldinger moved, Ald. Nealis seconded, for approval of the Board of Public Works minutes of August 9, 1999.

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

13. Ordinance - traffic.  
99-06-C Traffic Signals Intersection of Water Street and Polk Street

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

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

14. Public Hearing - blacktop both sides of an alley between Jefferson Street and Oak Street from Frontenac Avenue and California Avenue, was declared open by the Mayor.

Ernestine Andrews, 3201 Jefferson Street, opposes to blacktop the alley between Jefferson Street and Oak Street from Frontenac Avenue and California Avenue.

Myron Groshek, 3232 Oak Street, stated he started a petition for this project and 13 out of 17 residents were in favor of the blacktop alley. Mr. Groshek asked about road tax for the blacktop alley.

Mayor Wescott stated there is no road tax for alleys.

15. Final Resolution on the above.

Ald. Rackow moved, Ald. Sevenich seconded, for adoption of the final resolution.

Ald. Rackow said only a few alleys in the City of Stevens Point are still gravel. A gravel alley creates a lot of dust and when the alley is wet, it turns into mud.

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

16. Special Board of Public Works meeting of August 16, 1999.

Clerk Zdroik read the minutes of the Special Board of Public Works meeting of August 16, 1999.

Ald. Perlak moved, Ald. Nealis seconded, for approval of the Special Board of Public Works minutes of August 16, 1999.

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

17. Public Protection Committee meeting of August 9, 1999.

Jeff Kitzerow, the appellant, stated he did not fully understand the conviction question on the operator license application. Mr. Kitzerow did not realize he had to list his OWI conviction on the application. Mr. Kitzerow, whose profession is food and beverage service, depends on the operator license for his livelihood. I have paid my fine and served my time, said Mr. Kitzerow. He apologized for any inconveniences he has caused.

Ald. Niedbalski moved, Ald. Perlak seconded, for approval of the Public Protection Committee minutes of August 9, 1999, with item #1 - recommended rejection of operator's license pulled for further discussion.

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

Ald. Niedbalski asked Chief Carpenter if Mr. Kitzerow is granted a license and another OWI conviction occurs, could his operator's license be revoked at that time?

Chief Carpenter replied no. The Chief stated the operator application is easy to read and understand. The police department follows specific guidelines in recommending approval or rejection of an operator's license.

Ald. Niedbalski asked if it is possible to issue Mr. Kitzerow a six-month operator license?

City Attorney Molepske stated there is not a six month license.

Ald. Perlak said Mr. Kitzerow should be granted an operator license. Mr. Kitzerow paid his penalty.

Ald. Nealis asked if a conditional license can be issued?

Mayor Wescott stated that is not possible.

Ald. Phillips stated in reading the pending charge, etc. question on the operator license application, he could see how this question could be confusing. The OWI conviction is more of a personal nature.

Ald. Phillips moved, Ald. Pazdernik seconded, to approve the issuance of a one year new operator license to Jeff D. Kitzerow, 5434 Floral Lane, Stevens Point.

Ald. Niedbalski asked when Mr. Kitzerow comes in to renew his operator license, will we know of any additional violations?

Chief Carpenter stated that is correct. The Chief said this same question has been on the operator license application for many years. The question is stated clearly on the application.

We need to look for consistency here, review the application in a fair and objective way.

Ald. Rackow suggests the police department not change their procedures. The alderman said Mr. Kitzerow is an exception to the rule.

**Ald. Niedbalski agrees not to change the operator license application. The reason Mr. Kitzerow s operator license was denied is the fact that h did not list his conviction on the application.**

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

Nays: Ald. Sevenich, Walther, Rackow, Aldinger.

7 - Ayes. 4 - Nays. Motion carried.

18. Ordinance on Truancy.

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

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

Nays: None. Motion carried.

19. Board of Water and Sewage Commissioners meeting of August 12, 1999.

Ald. Pazdernik moved, Ald. Phillips seconded, for approval of the Board of Water and Sewage Commissioners minutes of August 12, 1999.

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

Nays: None. Motion carried.

20. Telecommunications Commission meeting of August 12, 1999.

Ald. Rackow moved, Ald. Walther seconded, for approval of the Telecommunications Commission minutes of August 12, 1999.

Roll Call: Ayes all.

Nays none. Motion carried.

21. Reports of various officers and commission.

**Comptroller-Treasurer s report - June 1999.**

Police and Fire Commission minutes of July 13, July 29 and August 10, 1999.

Ald. Sevenich moved, Ald. Phillips seconded, to accept the reports and place them on file.

Roll Call: Ayes all.

Nays none. Motion carried.

22. 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.

23. Adjournment - 7:35 P.M.

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