

**CITY OF STEVENS POINT
PUBLIC PROTECTION COMMITTEE AGENDA
Monday, June 10, 2019 6:00 P.M.
Police Department, 933 Michigan Avenue**

Present: Ald. Nebel, Dugan, Dalton, Phillips.

Excused Ald. Kneebone.

Also

Present: Mayor Wiza; C/T Ladick; City Clerk Piotrowski; Attorney Beveridge; Alderpersons Jennings, Zarazua, Johnson, Slowinski, and Morrow; Directors Beduhn, Ostrowski; Chief Finn; Chief Skibba; City Forrester Ernster; Brandi Makuski – Metro Wire; Alan Havorka – Stevens Point Journal; Joe Bachman – Portage County Gazette.

Discussion and Possible Action on the Following:

**1. Appeal of notice/service charge for property maintenance violation:
A. 900 Union Street.**

Ald. Phillips asked if the appellant was present, as no one responded he opened it up to the committee for discussion and action on the appeal.

Ald. Nebel asked Dir. Ostrowski if a letter is sent out prior to someone removing the snow or if it is automatically removed after 24 hours.

Dir. Ostrowski said due to it being an emergency situation a letter is not sent out. He said per ordinance any areas that have a boulevard have 24 hours and areas without a boulevard have 48 hours to clear the snow.

Ald. Nebel asked Dir. Ostrowski if the first picture was prior to clearing the snow.

Dir. Ostrowski replied yes.

Ald. Dugan asked if there is a boulevard at both of the appeals.

Dir. Ostrowski replied yes.

Ald. Dugan said she has had a lot of constituent complaints about snow being thrown from the road on the sidewalk. She asked Dir. Ostrowski if that concerns him at all.

Dir. Ostrowski said it is common throughout the entire City, and said that is why boulevards have more time to clear the snow.

Mayor Wiza said pictures are taken because things can change. He said from the pictures it does not look like there was an attempt to clear the snow and said it does not look like there was any snow thrown from the plow. Mayor Wiza said the second

picture is the after picture. He said having before and after pictures are typical with most of the violations.

Ald. Dalton said there were general complaints about Union Street and asked if those complaints can be included in the future.

Dir. Ostrowski said if they are written complaints, yes.

Ald. Dalton said judging from one before picture without any attempt to immediate the situation is inadequate.

Ald. Nebel said in the pictures you can see the sidewalk is shoveled on other properties. She said the ordinances have to be made for the entire City rather than the individuals.

Ald. Nebel **moved**, Ald. Dugan seconded, to deny the appeal for 900 Union Street.

Ald. Meleesa Johnson, District 5, said for the people who cannot remove the snow and cannot afford someone to shovel, the Lincoln Center has a list of approved volunteer and low cost shovelers.

Call for the vote: ayes, all; nays, none; motion carried.

B. 1000 Union Street.

Ald. Phillips asked if the appellant was present, as no one responded he opened it up to the committee for discussion and action on the appeal.

Ald. Nebel **moved**, Ald. Dugan seconded, to deny the claim.

Call for the vote: ayes, all; nays, none; motion carried.

2. License List:

A. New Operators (Bartenders) Licenses.

B. 2 Year Operator's License Renewals.

Ald. Dalton **moved**, Ald. Nebel seconded, to approve the license list.

Call for the vote: ayes, all; nays, none; motion carried.

3. Renewal Class "B" Beer and Class "C" Wine:

A. Gyros & Bodega of Stevens Point, Inc. for Habibi's Gyros and Kabob House, 1157 Main Street, Stevens Point; Megan Tetzloff, agent for license period beginning July 1, 2019.

Ald. Dalton **moved**, Ald. Nebel seconded, to approve the renewal of the Class "B" Beer and Class "C" wine.

Ald. Nebel asked Chief Skibba if he had any objections.

Chief Skibba replied no.

Call for the vote: ayes, all; nays, none; motion carried.

4. "CLASS B" Combination Beer and Liquor License:

- A. ATITHI LLC, for Econo Lodge at 5110 Main St, Stevens Point for license period beginning July 1, 2019.**

Ald. Dalton **moved**, Ald. Nebel seconded, to approve the "Class B" Combination Beer and Liquor License.

Call for the vote: ayes, all; nays, none; motion carried.

5. Change of Agent:

- A. Riiser Fuels, LLC 709 S 20th Ave, Wausau, WI; Amber Zubricky, 1716 Madison Street Stevens Point, WI agent at R-Store #254, 5485 Hwy 10 E, Stevens Point, replacing Laurie Wetzel.**

Ald. Dalton **moved**, Ald. Dugan seconded, to approve the change of agent.

Call for the vote: ayes, all; nays, none; motion carried.

6. Special Event/ Road Closure Requests:

- A. KI Mobility Summer Carnival, Pfiffner Park, request is to close Crosby Ave adjacent to the Bandshell Area.**
- B. St. Paul's Church Picnic, 1919 Wyatt Avenue, request is to close Oak Street between Wyatt Avenue and East Avenue.**
- C. City of Stevens Point's Parks, Recreation and Forestry – Riverfront Rendezvous on July 4 – 6, 2019 Requesting closure of a section of Crosby Avenue from July 3 through July 6, 2019. (Recurring)**
- D. Stevens Point Alliance, Inc. – 4th of July Parade on July 4, 2019 at 11:00 a.m. Request for closure of sections of Main Street, Second Street and the Downtown Square and parking restrictions. (Recurring)**
- E. Stevens Point Alliance, Inc.– Discover Downtown event on July 20, 2019. Request for closure of a section of Main Street and parking restrictions. (Recurring)**

Ald. Dugan asked if KI Mobility's request is for their corporate picnic.

Clerk Piotrowski replied yes.

Ald. Dugan asked if the walking trail in the park will be closed.

Mayor Wiza said the request is only for a road closure.

Ald. Nebel **moved**, Ald. Dalton seconded, to approve all of the special events and road closures.

Call for the vote: ayes, all; nays, none; motion carried.

7. Discussion and Action on Change of Polling Places for District 5 and District 7- Ordinance Amendment Chapter 15.03(5)(7).

Clerk Piotrowski said because of a change in security the City can no longer use the National Guard Armory as a polling location for the two districts. He said District 5 will vote in the Community Room at the Police Department and District 7 will be at the Community Church on Highway 10.

Meleesa Johnson, District 5, said she predicts the election in 2020 to be a big election and asked if they considered using the room at the end of the hallway at the Police Department to que people.

Mayor Wiza said it is up to the Clerk and said they could have registration in one room and que the line in the other.

Ald. Dalton **moved**, Ald. Nebel seconded, to approve the ordinance amendment changing the polling locations for District 5 and District 7.

Call for the vote: ayes, all; nays, none; motion carried.

8. Discussion and Action on Ordinance Amendment for Chapter 9 Traffic 9.05(ak) Parking Limits.

Ald. Phillips **moved**, Ald. Dugan seconded, to approve the ordinance amendment.

Call for the vote: ayes, all; nays, none; motion carried.

9. Discussion on Instituting a Fee for Property Maintenance Appeals.

Ald. Phillips said there is a lot of work that goes into the appeals beforehand and people don't show up. He said he wanted to bring this forward to see everyone's opinions.

Mayor Wiza said there is a fair amount of information that is compiled for the appeals and said it takes up staff time. He said he believes a lot of the appeals come through because people feel they have the option to appeal and they may not think they shouldn't have gotten the citation. Mayor Wiza said having the fee may prevent less evidenced appeals and have more people show up at the meeting. He said the City is not going to just implement the fee. Mayor Wiza said if the case is upheld then there would not be a fee. He said if the appellant did not show up or if it is evidenced then the City can re-coup some of the fees they encountered.

Ald. Dugan asked if the City is prevented from requiring people to show up to the meeting.

Mayor Wiza said the City cannot force anyone to show up to a meeting. He said the Committee cannot deny an appeal just because someone does not show up. Mayor

Wiza said the Committee can deny the appeal based off of evidence, and said it helps if you are there to state your case.

Attorney Beveridge said the City cannot force someone to come to the meeting. He said it would be inside the realm of procedure to deny the appeal request if someone did not appear before the committee. Attorney Beveridge said he and Dir. Ostrowski is looking at having an appeal board, which will come to the committee for approval next month. He said there is an option for the Council to vote on to opt out of Chapter 68 in State Statutes which describes the appeals process. Attorney Beveridge said the City would have their own appeals system that mirrors the requirements of Chapter 68.

Ald. Dalton said she is against instituting a fee for property maintenance appeals and said it may put a financial burden on residents. She said about two-thirds of the appeals have been miscommunication or unclear communication with the Improvement Coordinator. Ald. Dalton said another way to look at this is to encourage people to appeal because they would have a better understanding and be involved with City processes.

Ald. Nebel said people who get the fines are already burdened with a \$100 fee. She said it would be more beneficial to educate them rather than attaching another fee.

Ald. Dugan said she agrees with Ald. Dalton and Ald. Nebel's comments. She said she would support a small fee, and said she has argued in the past for more education. Ald. Dugan said she would like to see people at the meeting if they are going to appeal, and thought the fee may bring them in.

Mayor Wiza said Ald. Dalton brought up some interesting thoughts. He said financial implications are usually the best way to incentivize someone. Mayor Wiza said Attorney Beveridge's idea about default judgement if they do not show up, it will be denied was a good idea. He said because everyone may not be able to make a 6:00 meeting, maybe the City should have an appeals Committee that can meet at a couple times a month at different times.

Ald. Phillips said he wanted to put this on the agenda to get discussion started. He said people will learn their lesson if they are hit in the pocketbook.

Ald. Dalton said she does not believe everyone is financially motivated. She suggested to step back from staff time to do this and look at how and where the violations are occurring. Ald. Dalton said she would like to see more staff time empowering people and connecting them to resources.

Ald. Dugan said she does not believe the issues are all occurring in just low income neighborhoods.

Ald. Meleesa Johnson, District 5, said she remembered Council talking when the City was looking at hiring a Community Improvement Coordinator that they would be a resource to the Community. She said there is a serious lack between the ordinances and the community. Ald. Johnson said the City needs to do a better job of outreach

and education. She said the appeal process is the public's only chance to be heard in public. Ald. Johnson said she cannot support a fee for the citizen's time to be heard. She said their absence does not reflect their interest in resolving the issue.

Mayor Wiza asked Ald. Phillips to ask Ald. Johnson what her thoughts were on the other two suggestions about not having a fee and having a default and/or an appeals committee.

Ald. Johnson said she does not support if you do not show up you lose. She said she is in support of a committee that meets at different times to accommodate its citizens.

Ald. Phillips said he believes that they are just another layer of government and is against adding another layer. He said it is not fair that the rest of the City should have to pay for the staff time of the people who are violating ordinances.

10. Adjournment.

Adjourned at 6:44 p.m.