

**CITY OF STEVENS POINT
PUBLIC PROTECTION COMMITTEE AGENDA
Monday, July 8, 2019 6:25 P.M.
Police Department, 933 Michigan Avenue**

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

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; Alan Havorka – Stevens Point Journal; Joe Bachman – Portage County Gazette; Brandi Makuski – Metro Wire; Kristeen Skibba Carne; Todd Wojtalewicz.

Discussion and Possible Action on the Following:

**1. Appeal of notice/service charge for property maintenance violation:
A. 1617 West River Dr.**

Todd Wojtalewicz, 1617 West River Drive, said he was in the process of repainting his garage and putting epoxy on the floor and could not have anything inside the garage. He said he took care of the items outside when he received the notice.

Ald. Kneebone said it looked like there was still an item outside when they came to do the re-inspection.

Mr. Wojtalewicz said he had the television on a trailer alongside the house because he had no place to put it.

Ald. Dalton **moved** to approve the appeal. As there was no second the motion died.

Ald. Nebel said in the re-inspection picture the television was not on a trailer.

Mr. Wojtalewicz said he needed to use the trailer and took the television off of it.

Ald. Dalton said the ordinance states that items cannot be out for more than 24 hours. She said the appellant has moved the items when asked and said the pictures are only a point in time and are insufficient evidence. Ald. Dalton said the ordinance speaks in regards to the characteristics of the neighborhood and said from speaking with the neighbors this spring she does not see an issue with this.

Mayor Wiza confirmed with Mr. Wojtalewicz if the items in the first picture were items that were in the garage and moved out when the epoxy was put down on the ground. He asked Mr. Wojtalewicz if the items were moved back into the garage when the epoxy was dried.

Mr. Wojtalewicz replied yes.

Mayor Wiza asked why the television was not moved back in.

Mr. Wojtalewicz said when he received the notice he put the television on the trailer and moved it to the side of the house. He said he did not realize he could not have it outside.

Mayor Wiza asked why the television was not moved back in when the floor was done.

Mr. Wojtalewicz said he moved the television back in the garage when he was done which was around the middle of June.

Ald. Nebel said what you do in one neighborhood affects other neighborhoods. She said the City has ordinances for a reason and they need to follow them.

Ald. Dugan said she understands what Mr. Wojtalewicz is going through and said they need to follow the ordinance.

Mr. Wojtalewicz said he is from the country and did not know this.

Ald. Dugan said so many people come from the country where they can put items outside. She said having an improvement coordinator helps get neighborhoods in some sort of order.

Ald. Dalton said she is confused by some of her colleague's perspectives because the individual said he moved the item in and out as he was working. She said a single picture does not demonstrate that the item was out for 24 hours. Ald. Dalton said the purpose of the committee and the appeal process is to be the checks and balance as to when the ordinances are being applied to values of the community.

Ald. Kneebone said the television was observed to be outside on May 1st and was out two weeks later when it was re-inspected. She said if it is in a shed now maybe it could have been in the shed right away when the notice was given.

Mr. Wojtalewicz said all of his belongings were in the shed.

Mayor Wiza said for clarification the applicant told the committee the television was outside for more than two weeks.

Mr. Wojtalewicz said he was taking it in and out of the garage for the two weeks.

Mayor Wiza asked Mr. Wojtalewicz if he could not put anything in the garage while he was working on it. He asked if he put anything in the garage.

Mr. Wojtalewicz said he had to put things undercover. He said he did this project in periods of time. Mr. Wojtalewicz said he put down epoxy floor which takes more than a couple of days to dry.

Mayor Wiza asked Mr. Wojtalewicz if he had the television out for more than a couple of days.

Mr. Wojtalewicz said he had the television in and out and said it is a non-working television. He said the television is in his back shed now that all of his valuables are in the garage.

Mayor Wiza asked Mr. Wojtalewicz what the longest estimated period of time was that the television was outside.

Mr. Wojtalewicz said he does not know.

Ald. Phillips **moved**, Ald. Nebel seconded, to deny the appeal.

Ald. Nebel said in the notice that was mailed to him it states which ordinance is being violated and why.

Mr. Wojtalewicz said in the ordinance it states that he cannot have it in front of the garage or the house.

Ald. Nebel read the notice letter and said it states it has to be removed by the date given.

Dir. Ostrowski said the first letter went out May 1st and the second one went out after the inspection on May 15th. He said the service charge was sent for the second inspection. Dir. Ostrowski said if all the items were fixed from the initial letter a service charge would not have been sent out.

Ald. Phillips said the ordinance does not state that you can keep it out for 24 hours, he said normally Mr. Kordus will give you 24 hours to get it cleaned up.

Call for the vote: ayes, majority; nays, minority; motion carried.

2. License List:

A. New Operators (Bartenders) Licenses.

B. 2 Year Operator's License Renewals.

Ald. Kneebone confirmed with Chief Skibba that there were not any issues with any of the applicants.

Ald. Nebel **moved**, Ald. Phillips seconded, to approve the license list for a. new operators (bartenders) licenses and b. the two year operator's license renewals.

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

3. Temporary Class "B" / "Class B" License (Picnic):

- A. **Pacelli Catholic Schools, 1301 Maria Drive, for Panacea on September 6th-8th, 2019 at 1301 Maria Drive. Licensed operator on premise: Gregg Hansel (Beer and Wine).**
- B. **Portage County Democratic Party, 2220 Division Street, for Portage County Democratic Party Picnic on August 25, 2019 at the Pfiffner Building, Pfiffner Park, Licensed operator on duty: Jan Way (Beer Only).**
- C. **Holy Spirit Parish, 838 Fremont Street, for Spirit Fest Holy Spirit Parish Picnic on July 28, 2019 at 838 Fremont Street. Licensed operator on premises: Gerald Check (Beer Only).**
- D. **Stevens Point Business Alliance, PO Box 675, Stevens Point, for Wine Walk 2019 on August 23, 2019 at 20 downtown businesses. Licensed operators on premises: list on file with request (Wine Only).**

Ald. Kneebone asked Chief Skibba if he had issues with any of the events.

Chief Skibba replied no as they are all reoccurring events.

Ald. Nebel **moved**, Ald. Dugan seconded, to approve the temporary Class "B" licenses for Pacelli Catholic Schools, Portage County Democratic Party, Holy Spirit Parish, and Stevens Point Business Alliance.

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

4. COMMERCIAL ANIMAL ESTABLISHMENT (RENEWAL):

- A. **Country Paws Bed & Biscuit, 2107 Country Club Drive, Stevens Point, WI; Laura Bronk, 2107 Country Club Drive, owner.**

Ald. Phillips **moved**, Ald. Dalton seconded, to approve the commercial animal establishment renewal for Country Paws Bed & Biscuit.

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

5. JUNK DEALER/RECYCLING LICENSE (RENEWAL):

- A. **Express Recycling LLC, 2608 Water Street, Stevens Point; Matt and Tim Zacher, owners.**

Ald. Dugan **moved**, Ald. Dalton seconded, to approve the Junk Dealer/Recycling License renewal for Express Recycling LLC.

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

6. Special Event/ Road Closure Requests:

- A. **Schierl Companies, close 4th Ave on September 11-2019 between Isadore and Reserve Streets for Pink Week Celebration.**
- B. **Dozynki Downtown, on September 14, 2019 in conjunction with the Polish Heritage Awareness Society and the Downtown businesses and Farmer Market no road closure requested (Information).**

Kristeen Carne, 913A Main Street, said she did secure two Polish mountain dogs which will be outside the Companion Shop. She said the Polish Heritage Society will be using the Farmshed Booth at the Farmer's Market. Ms. Carne said there will not be any road closures.

Ald. Dalton **moved**, Ald. Nebel seconded, to approve the special event requests for Schierl Companies and Dozynki Downtown.

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

7. Ordinance Amendment – Chapter 3- Officials, Boards and Employees – Amendment Creating 3.56 Administrative Appeals Board.

Attorney Beveridge said he brought this forward for discussion and said the committee is not going to vote on it tonight. He said this was adapted from Madison's Ordinance. Attorney Beveridge explained why this is coming forward.

Ald. Nebel said she appreciated the background information Attorney Beveridge provided. She said she likes the idea of having an appeals board because they can meet during the times that work better for constituents. Ald. Nebel said she wants to make sure that the committee follows what the ordinance states rather than emotions.

Mayor Wiza said it may be best to have non-electeds serve on the committee to try and weed out the political aspect of it.

Attorney Beveridge said a non-elected person on the committee may face the same challenges. He said it may speed up the Committee Meetings and then people who are there to hear about the general government information are not sitting through a property maintenance appeal.

Ald. Kneebone said she thinks the appeals board is a good idea and said she likes the idea of not having electeds serve on the committee because it is a way to have citizens more involved with City processes. She suggested having quarterly meetings where they meet at different times in different locations.

Attorney Beveridge said based off of his experience the best way may be to schedule meetings that will work the best for everyone.

Ald. Nebel said she is concerned with just anyone being on the committee and giving leeway to certain appeals.

Attorney Beveridge said if that is the way Council decides to go, then Mayor and Council members will have the opportunity to choose people who they will appoint. He said the City has a number of Committees where they have to follow strict statutory guide lines.

Ald. Nebel said she wants to make sure whomever is assigned to the Committee knows the ordinances and will enforce them. She said she would rather see City staff be on the committee because they have the knowledge.

Ald. Dalton said she would only approve this if the committee was partily made up of some elected officials and council members. She said with how the ordinances are written there is room for interpretation.

Ald. Phillips said he is against adding another layer of government. He said there is no mention of a fee to cover staff time. Ald. Phillips said the baby step right now would be to charge a fee for the appeals. He said a lot of the frivolous appeals will go away and if it does not work then go to another layer.

Attorney Beveridge said due process can be tedious and said it is guaranteed. He said this would not create another layer of government but rather put the City more smartly in control of the way the City guarantees those rights. Attorney Beveridge said this would streamline the process. He said rather than charging a fee they could look at adjusting the service charge and take out what it would cost for staff time.

Ald. Phillips said he wants the cost of all City Staff time to be taken care of.

Attorney Beveridge said he will create some language to establish a hybrid body.

Ald. Kneebone said asked if something could be written that any alder on the committee will not serve as chair.

8. Adjournment.

Adjourned at 7:11 p.m.