

CITY OF STEVENS POINT
PUBLIC POLICY AND GENERAL GOVERNMENT
August 10, 2020 - 6:10 PM

Zoom Conference Call Meeting
URL: <https://us02web.zoom.us/j/87609178646> | Password: 110891 |
Dial in Number: +1 312 626 6799 | Meeting ID: 876 0917 8646

(A quorum of the City Council may attend this meeting)

AGENDA

Discussion and Possible Action on:

1. Roll Call
2. License List
 - A. Temporary Class "B" / "Class B" License (Picnic) - **Pacelli Catholic Schools**, 1301 Maria Drive, Stevens Point - Panacea, September 11 - 13, 2020
 - B. Extension of License Premise: **Point After**, 801 2nd Street, Stevens Point
 - C. Extension of License Premise: **Rookies Sports Pub**, 3425 Church Street, Stevens Point
3. Overnight Street Parking
4. Ordinance Amendment - Section 16.12 (1)(h)1 - Temporarily Waive Sidewalk Cafe Vending Equipment Removal Requirements
5. Ordinance Amendment - Section 2.28 Public Protection Committee Renamed Public Policy and General Government
6. Adjournment

Any person who has special needs while attending this meeting or needing agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569, TDD # 346-1556 or by mail at 1515 Strongs Ave., Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during normal business hours from 7:30 a.m. to 4:00 p.m.

**LICENSE LIST
PUBLIC PROTECTION COMMITTEE
Monday, August 10, 2020**

TEMPORARY CLASS "B" / "CLASS B" LICENSE (PICNIC):

1. **Pacelli Catholic Schools**, 1301 Maria Drive, Stevens Point for Panacea on September 11 to September 13, 2020 at 1301 Maria Drive. Licensed operator on premise: Jodi Napiwocki. (Beer and Wine)

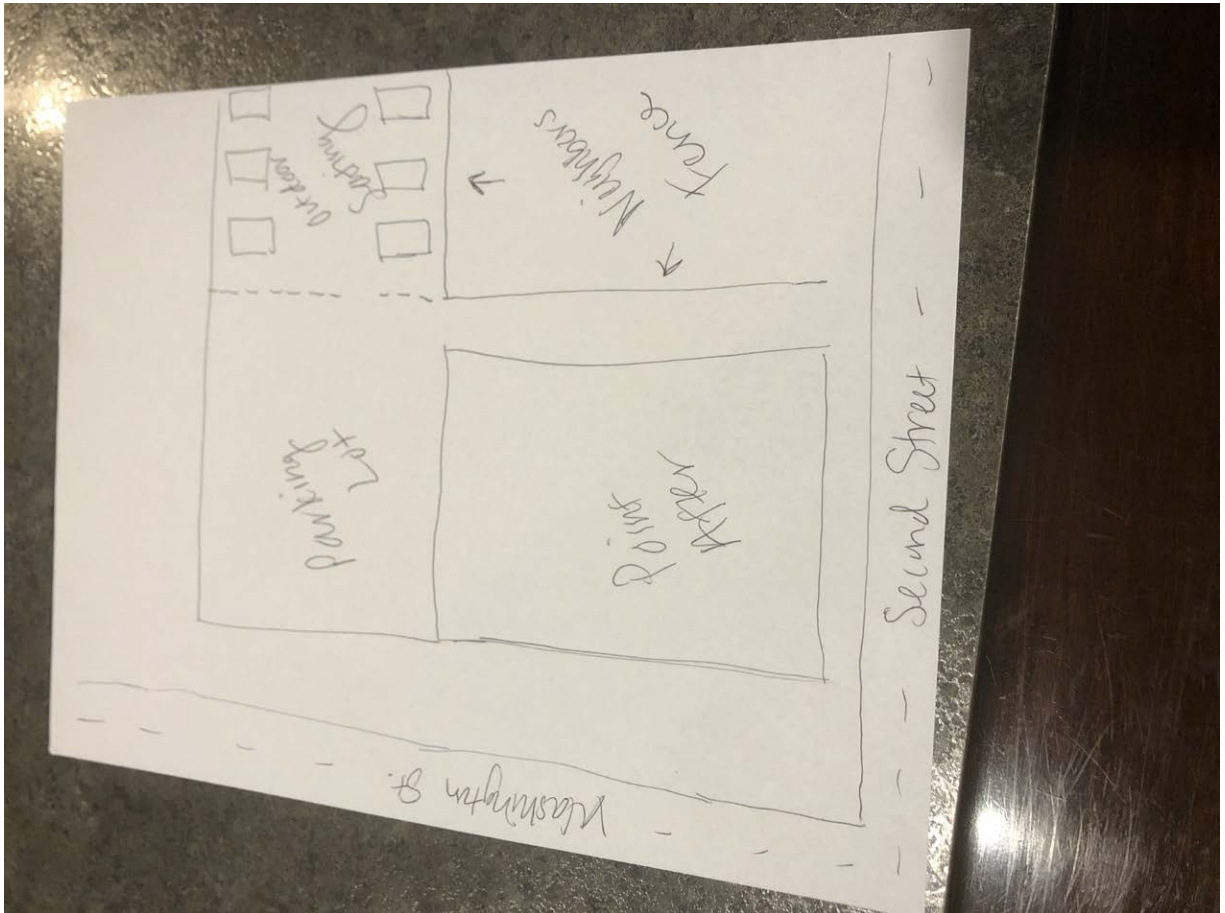
EXTENSION OF LICENSED PREMISE:

1. **Nicole Molski**, 801 Second Street, request for extension of licensed premise to include patio on the southeast corner of Point After facing the Parking Lot.
2. **Randy Woyak**, 3425 Church Street, request for extension of licensed premise for games and additional seating.

From: [Nicole Molski](#)
To: [Karlyn Krautkramer](#)
Subject: Point After
Date: Tuesday, July 21, 2020 2:27:26 PM

Hey! Thank you for taking the time to call the Mayor and trying to get this through sooner. Here is the info that you said I would need for the August 17 meeting to serve alcohol outside. I already have the fence up and would have signs all over saying no alcohol beyond this point as well as a sign for customers to see someone inside for service. Here are all the pictures I took. As well as the permit from the city for outdoor seating.

Thank you, Nicole Molski









City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481-3594



Department of Community Development
Ph: (715) 346-1567
Fax: (715) 346-1498

TEMPORARY OCCUPANCY LETTER
(Expires on October 16, 2020)

TO: Nicole Molski

From: Ximena Christianson, Building & HVAC Inspector
Adam Kuhn, Associate Planner & Zoning Administrator
DJ Schneider, Building Inspection Superintendent

Date: July 17, 2020

RE: Temporary Occupancy at Point After Pub & Grill

Dear Ms. Molski,

Thank you for working with us over the last few weeks in regard to temporary outdoor seating at Point After Pub & Grill, located at 801 Second Street, Stevens Point, WI 54481.

As indicated earlier, there are no zoning or land use concerns associated with your proposal. Similarly, there are no concerns from the Inspection Division of the Department as you are not installing permanent fencing or gates.

Please note that this temporary occupancy request to allow for outdoor seating and the accompanying fence has been approved due to the request of continuing restaurant operations during the COVID-19 pandemic, and will cease validity at the end of the day, October 16, 2020.

Please feel free to call or email us if you have any questions.

Sincerely,

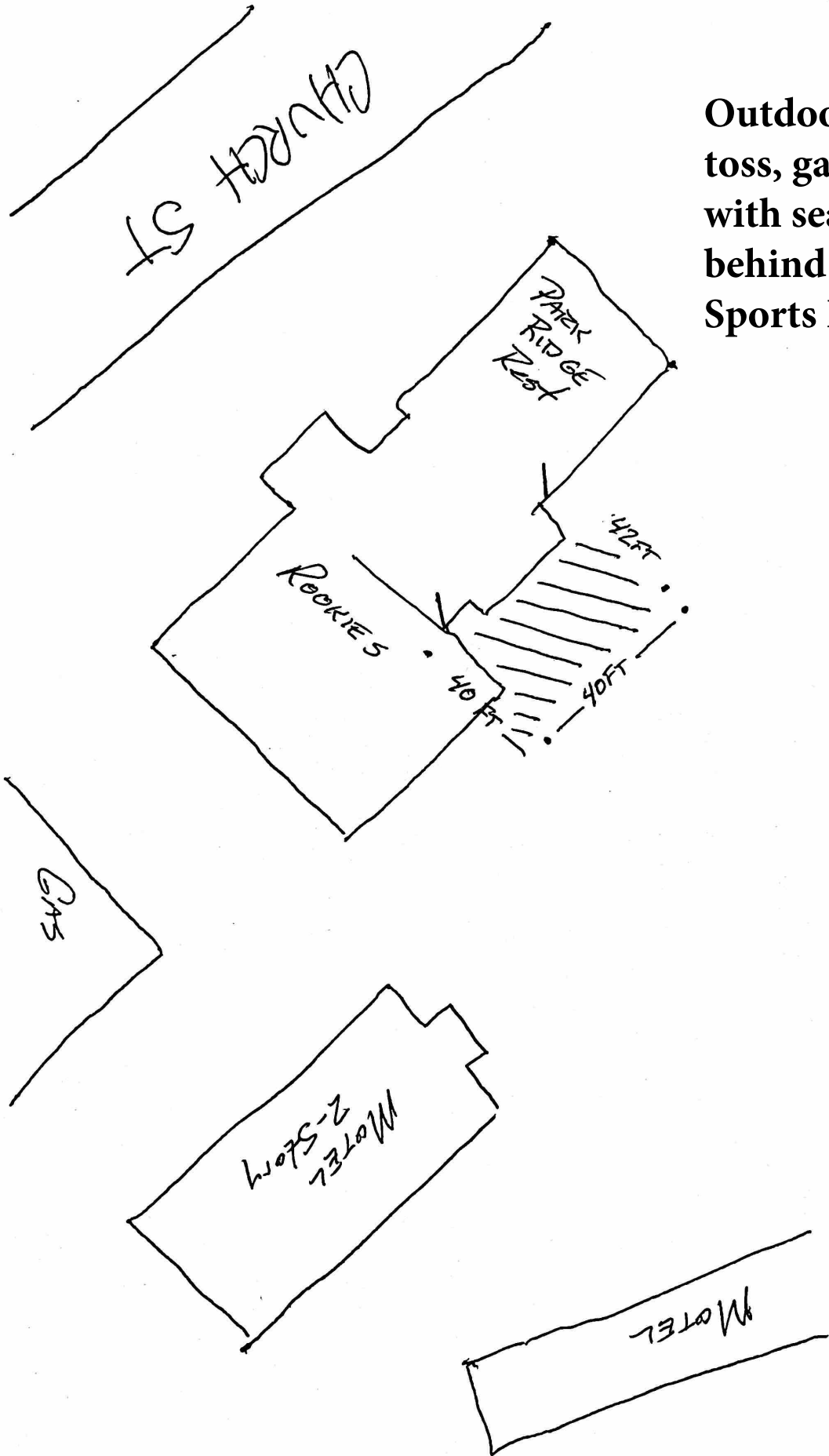
Ximena Christianson
Building & HVAC Inspector

Adam Kuhn
Associate Planner & Zoning Administrator

DJ Schneider
Electrical Inspector

ROOKIES OUTDOOR AREA PROPOSED

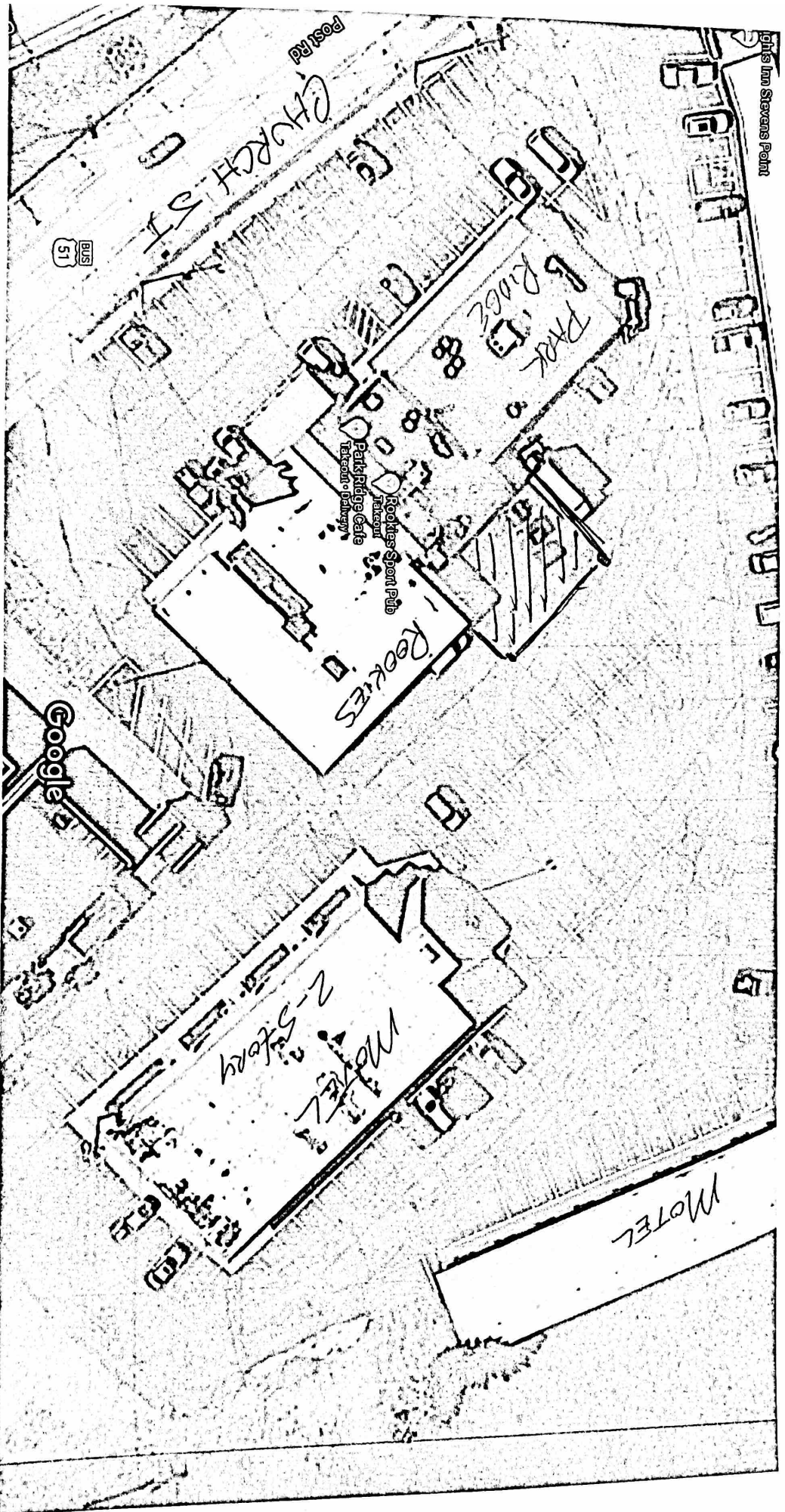
Outdoor bag
toss, games, etc.
with seating
behind Rookies
Sports Pub



Rookies Sport Pub
Randy Weyak owner
3425 Church St
Stevens Point WI 54481

ROOKIES OUTDOOR AREA PROPOSED

Google Maps



<https://www.google.com/maps/@44.4988715,-89.561412,81m/data=!3m1!1e3>

Randy Weyant owner
ROOKIES SPORTS PUB
3425 CHURCH ST
STEVENS POINT WI 54481

July 27, 2020

Chair Jennings,

I would like to request, on behalf of myself and Alder Dalton, that a discussion and possible action item proposing no cost, alternate side, overnight parking (except in places designated by the Police or Public Works Departments or designated emergencies) be placed on the August Public Policy and General Administration Committee Agenda. In the absence of that discussion, I would like to propose a discussion and possible action item allowing no cost yearly overnight parking passes to be issued per dwelling unit.

I have a situation in District 7 that due to our current paid overnight parking ordinance has become prohibitively punitive to a property owner and to his tenants. He and the Community Development Department have been trying for several months to find alternatives to his situation but at this point it is lose/lose for the property owner, the residents, the City and the neighborhood.

I believe we need a robust discussion on overnight parking that would allow some relief to unique situations.

Thank you, Chair Jennings, for your consideration of our request. Please feel free to reach out should you need more information or have any questions.

Respectfully,

Mary Kneebone

Alder, District 7



August 6, 2020

To: Public Policy and General Government Committee

Subject: Overnight Parking

The Department of Public Works, Police Department, Comptroller/Treasurer, and Director of Community Development met to discuss overnight parking. Understanding that there are sometimes differing views related to overnight parking, we wanted to present a compromise option for the City Council to consider. It should be noted that this is not a unanimous recommendation from the group, but we felt that we at least needed to put an alternative option on the table in order to move the conversation forward and facilitate a decision.

Currently, an overnight permit is \$3/night, and only 3 nights can be purchased at a time. This option would be to reduce the permit fee from \$3/night to \$1/night, remove the 3 night limitation, and add monthly permits for \$20/month and yearly permits for \$200/year. This would make the fees reasonably in line with the cost of providing the service, and would also be in line with the cost of alternatives, such as maintaining a space in a parking lot.

The following is a breakdown of the reduction.

	Current	Proposed	Percentage Change
Daily	\$3.00	\$1.00	-67%
Monthly	\$90.00	\$20.00	-78%
Yearly	\$1,095.00	\$200.00	-82%

**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE OF THE CITY OF
STEVENS POINT, WISCONSIN**

The Common Council of the City of Stevens Point do ordain as follows:

SECTION I: That subsection (1)(h)1. of Section 16.12 of the Revised Municipal Code pertaining to vending equipment requirements for sidewalk cafes, is hereby **created** to read as follows:

16.12(1)(h)1. Temporary exception for 2020. Due to expanded interest in outdoor seating during the Covid-19 pandemic, the requirements of subsection (1)(h) shall be waived for the period lasting from the effective date of this ordinance until November 1, 2020.

SECTION II: This ordinance shall take effect upon passage and publication, as provided by law.

APPROVED: _____
Mike Wiza, Mayor

ATTEST: _____
Karlyn Krautkramer, City Clerk

Dated: August 3, 2020
Approved: _____, 2020
Published: _____, 2020

ORDINANCE AMENDING THE REVISED MUNICIPAL CODE OF THE CITY OF STEVENS POINT, WISCONSIN

The Common Council of the City of Stevens Point do ordain as follows:

SECTION I: That Section 2.28 of the Revised Municipal Code is hereby **amended** to read as follows:

2.28 STANDING COMMITTEES. Following are the standing committees of the common council: Board of Public Works, Finance Committee, Public Policy and General Government ~~Public Protection~~ Committee, and Personnel Committee. The appointments to such committees shall be made by the mayor at the organization meeting in April for a term of one year, subject to confirmation by the common council, except where otherwise expressly provided by law. The Chairs and Vice-Chairs of the Standing Committees shall be elected by the members at the respective Committee at the first Committee meeting after the mayor's appointments are confirmed by the Council, and such elections shall be effective upon confirmation by the Common Council.

SECTION II: That the following subsections of Chapter 12 of the Revised Municipal Code are hereby **amended** to read as follows:

12.01(3)(b) The application shall be forwarded to the city's ~~public protection committee~~ Public Policy and General Government Committee which shall hold a public hearing prior to the recommendation to the common council of granting any electronic amusement parlor license.

12.08(2)(a) It shall be the duty of the public protection committee in conjunction with the building inspector to inspect any dance hall before any license shall be granted for holding dances therein. Before passing favorably upon such application, the Public Policy and General Government Committee ~~public protection committee~~ must find that the said building has clean and sanitary toilets; that it has adequate fire escapes; that halls, fire escapes, vestibules, entrances, and toilets are properly lighted and ventilated. In addition, any dance hall in excess of 1,000 square feet of actual dancing area or space must be found to be in substantial conformity with the state building code in construction, and that there are adequate parking facilities.

12.17(4)(e) Prior to approving a license, the Public Policy and General Government Committee ~~public protection committee~~ shall review the building's floor plans to determine if the premises meets the requirements of this ordinance.

12.17(10) Inspection of Application and Premises. The clerk shall notify the health officer, chief of police, and fire inspector of all license and permit applications and these officials shall inspect or cause to be inspected each application and premises to determine whether the applicant and the premises sought to be licensed comply with the regulations, ordinances, and

laws applicable thereto and the applicants fitness for the trust to be imposed. These officials shall furnish to the Public Policy and General Government Committee ~~public protection committee~~ in writing the information derived from such investigation. No license shall be issued for any premises which do not conform to the sanitary, safety, and health requirements of the State Board of Health and to all such ordinances and regulations adopted by the city and the county, where applicable.

- 12.18(8)(a) Any permit issued in accordance with this section is subject to summary revocation by the Portage County Environmental Health Supervisor or any of the Health Supervisor's authorized agents at any time that the holder thereof is guilty of a violation of any of the provisions of this code or state laws governing the sale or handling of food. Any person to whom such an order is issued shall immediately comply therewith, but upon written petition to the City Clerk shall be afforded a hearing before the Public Policy and General Government Committee ~~Public Protection Committee~~ within 15 working days of such petition.
- 12.18(8)(b) Whenever the Portage County Environmental Health Supervisor finds unsanitary or other conditions related to the operation of a food peddler which are in violation of this section, rules and regulations adopted by the Portage County Environmental Health Supervisor, state statutes or rules promulgated by an agency of the state, and the violations, in the Portage County Environmental Health Supervisor's opinion, constitute a substantial hazard to the public health, safety and welfare, the Portage County Environmental Health Supervisor without warning, notice or hearing, issue a written order to the permit holder, operator or employee in charge of the food peddler operation citing such condition, specifying the corrective action to be taken, and specifying the time period within which such action shall be taken. If the Portage County Environmental Health Supervisor deems it necessary, the order shall state that the permit is immediately suspended and all food service operations are to be immediately discontinued. Any person to whom such an order is issued shall immediately comply therewith, but upon written petition to the Portage County Environmental Health Supervisor, shall be afforded a hearing before the Public Policy and General Government Committee within 15 working days of such petition. Failure to allow an inspector immediate access to determine whether such grounds exist shall be grounds for suspension.
- 12.18(8)(c) For serious or repeated violations of any of the requirements of this section, or for interference with the Portage County Environmental Health Supervisor in the performance of his or her duties, a permit may be revoked after an opportunity for a hearing has been provided by the Public Policy and General Government Committee. Prior to such action, the Portage County Environmental Health Supervisor shall notify the permit holder in writing, stating the reasons for which the permit is subject to revocation, and advising that the permit shall be revoked at the end of 5 working days following service of such notice, unless the permit holder files with the

Portage County Environmental Health Supervisor a request for a hearing within such 5-day period.

12.18(8)(d) The hearings provided for in this section shall be conducted by the Public Policy and General Government Committee ~~Public Protection Committee~~ at a time and place designated by the City Clerk. Based upon the record of such hearing, the City Clerk shall be charged with enforcing the decision of the Committee. The City Clerk shall furnish the permit holder with a written report of the hearing decision.

12.18(8)(e) No person, association or corporation may operate after a permit suspension or revocation unless the suspension is released in writing or the revocation is not upheld by the Public Policy and General Government Committee ~~Public Protection Committee~~ or court.

12.23(1)(a) license shall be granted to any person under the age of 21 years, nor to any person who has been convicted by a court of competent jurisdiction of any offense involving moral turpitude or for driving a motor vehicle as a conveyance of persons or baggage for hire while under the influence of intoxicating liquor while said conviction remains of record and is not reversed; provided, however, that the Public Policy and General Government Committee ~~public protection committee~~ of the common council may grant a permit to such convicted person after five years following the completion of any sentence or the payment of any fine imposed as a result of said conviction, or after the granting of any complete pardon and restoration of civil rights, if, after an investigation, it shall be established that said convicted person has, since said conviction, led an exemplary life, except that any person convicted of a violation of chapter 944 of the Wisconsin statutes, or murder as defined in chapter 940 of the Wisconsin statutes, in which case no license shall be issued.

12.23(2) License Revocation. Any taxicab driver license issued herein may be revoked by the Public Policy and General Government Committee ~~Public Protection Committee~~ for any one or more of the following causes: When said operator has been convicted by a court of competent jurisdiction of an offense involving moral turpitude, or reckless driving, or for driving while under the influence of intoxicating liquor as defined in the Revised Municipal Code, when such sentence remains of record and unreversed.

SECTION III: That the subsection 14.14(b)(i) of the Revised Municipal Code is hereby **amended** to read as follows:

14.14(b)(i) Criteria for a Special Permit. The ~~Public Protection Committee~~ Public Policy and General Government Committee may issue a special permit for the keeping or maintenance of a farm or dangerous or wild animal if it finds:

SECTION IV: That the following subsections of Chapter 21 of the Revised Municipal Code are hereby **amended** to read as follows:

21.13(3) The Building Inspector, after the expiration of time granted the person given such notice to seek reconsideration or a hearing in the manner hereinafter provided by this ordinance or after a final decision adverse to such person served has been rendered by the Administrative Appeals Board ~~Public Protection Committee~~ or by a court of competent jurisdiction to which an appeal has been taken, may cause the notice to be recorded in the Office of the Register of Deeds for Portage County, Wisconsin. All subsequent transferees of the premise or premise unit in connection with which a notice has been so recorded shall be deemed to have notice of the violations alleged and shall be liable to all penalties and procedures provided by this ordinance and by applicable rules and regulations issued pursuant thereto to the same degree as was their transferor.

21.15(e)3. Remedy from Order. Administrative Appeals Board ~~Public Protection Committee~~ shall have no authority to act on orders issued under this subsection. Any person affected-aggrieved by orders issued under this subsection shall, within thirty (30) days of service or publication of the order, apply to the circuit court for an order restraining the City and the Building Inspector from entering on the premises and abating or removing the nuisance, or be forever barred. The court shall determine the reasonableness of the order for abatement of the nuisance.

SECTION V: That the subsection 24.48(1)(d) of the Revised Municipal Code is hereby **amended** to read as follows:

24.48(1)(d) The outdoor ordinary combustible-fired furnace shall have a chimney that extends at least 15 feet above the ground surface. If there are any residences within 300 feet, the chimney shall also extend at least as high above the ground surface as the height of the roofs of all such residences. The Fire Chief may approve a lesser height on a case by-case basis if necessary to comply with manufacturer's recommendations and if the smoke from the lower chimney height does not create a nuisance for neighbors. The Fire Chief may order changes to the installation, chimney height, or operation, if, in the Fire Chief's opinion, the operation of the outdoor ordinary combustible-fired furnace results in a nuisance to other properties. In the event the operation of the furnace continues to result in a nuisance to other properties, the Fire Chief shall have the authority to order suspension or discontinuance of operation of the outdoor ordinary combustible-fired furnace. An affected individual or persons within 600 of the operator of the outdoor furnace may appeal the determination of the Fire Chief to the Public Policy and General Government Committee ~~Public Protection Committee~~ which shall review the same to determine whether the outdoor furnace is injurious to the health, welfare or safety of the occupants of the neighboring property(ies).

SECTION VI: That the following subsections of Chapter 30 of the Revised Municipal Code are hereby **amended** to read as follows:

30.02(7) Appeal. Any person feeling himself aggrieved by any order or ruling of the Building Inspector may appeal from such ruling to the Administrative

~~Appeals Board Public Protection Committee~~ within the time the Building Inspector has established for conformance with the order. Such appeal is to be in writing, setting forth the order appealed from, and the respects in which said person feeling himself aggrieved claims that said order or ruling is erroneous or illegal. The ~~said Administrative Appeals Board shall proceed in accordance with RMC 3.56.~~Public Protection Committee, after consideration thereof, shall recommend to affirm, reverse, or modify said ruling to the Common Council as is just in the premises. The Common Council may accept, modify, or reject the recommendation of the Committee. The ruling or order of the inspection shall be enforced until changed by said Public Protection Committee

SECTION VII: This ordinance shall take effect upon passage and publication, as provided by law.

APPROVED: _____
Mike Wiza, Mayor

ATTEST: _____
Karlyn Krautkramer, City Clerk

Dated: August 4, 2020
Approved: August 17, 2020
Published: August 21, 2020