

**PUBLIC PROTECTION COMMITTEE**  
**Monday, March 8, 2010 – 6:48 P.M.**  
**Lincoln Center – 1519 Water Street**

Present: Alderpersons: Stroik, Wiza, Trzebiatowski, Slowinski, Brooks.

Also

Present: Clerk Moe; C/T Schlice; Alderpersons: Mallison, Walther, O'Meara, Heart, Molski, and Moore; Directors Morrissey, Halverson, Schrader, Lemke, Morris; Chief Ruder; Assessor Siebers; Manager Wheeler; Kelley Pazdernik; Shawn Johnston; Joanne Suome; Barb Jacob; Mike Harrison; Dawn Gunderson; JoAnne Evica; Cathy Dugan; David Ratz; Spencer Johnson; Kevin Spaay; Gene Kemmeter.

**1. Discussion and Possible Action on the Recommendations on the License List:**

**A. New Operator's (Bartender's) Licenses.**

Ald. Brooks moved, Ald. Slowinski seconded, to approve the 32 New Operator's Licenses.

Ayes, all; nays, none; motion carried.

**B. Recommended Rejections - Operator's (Bartender's) Licenses.**

Spencer Johnson stated that the Police Department is recommending denial of his license application because he was ticketed for serving without a license. He feels that he still meets the requirements to hold a license.

Ald. Wiza asked who is responsible to ensure there is a licensed bartender on the premises.

Chief Ruder said it is the responsibility of both the bartender and the owner or manager.

Ald. Trzebiatowski asked whether this would also be considered when the establishment comes up for renewal of their license.

Chief Ruder replied that it would.

Ald. Brooks asked for more information as to how he came to be working by himself.

Mr. Johnson stated that he was instructed to get a license but he failed to do that in a timely manner.

Ald. R. Stroik asked when he was asked by the owner to get a license.

Mr. Johnson said he started training in the last week in November for two weeks and then he was on break until just before he was cited.

Ald. R. Stroik noted that he was cited roughly two months after being told he needed to obtain a license. He said that one of the conditions on the application to hold a license is that the applicant has not had any criminal or ordinance convictions that are related to the license.

Chief Ruder said that they look for any violations that happen within the licensed premise.

Ald. Wiza noted that when the rules were created the Council wanted to be very specific. If a violation was related to the duties of the bartender it held more weight. By his own admission, Mr. Johnson was told to get a license and months went by and he did not do it.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, to deny Mr. Johnson a bartender license.

Ald. Trzebiatowski noted that it was his responsibility to obtain a license and it is fairly easy to do.

Kevin Spaay, owner of Ella's, came on behalf of Mr. Johnson. He stated that Mr. Johnson is 23 years old, going to school on the GI bill, and served two terms in Iraq. He said Mr. Johnson is a good person and employee. He spoke with City Attorney Molepske and Lt. Doweling about the situation and they both had positive feedback on the matter and that something could be worked out.

Ald. Wiza noted that not having a license does not prevent him from working, he just cannot work alone.

City Attorney Molepske said that he did speak with Mr. Spaay and he told him to talk to the Police Department about the situation. He does not make recommendations, the Police Department does. It is a violation of Ch. 125 to serve without a license and this is part of the standards set to hold a license.

Ald. R. Stroik feels this situation does not merit a denial due to the short time period.

Ald. Trzebiatowski disagrees with Ald. R. Stroik.

Mayor Halverson feels that although the language in the conditions to hold a license are all encompassing, the standards are for offenses more egregious than this one. He feels the body has the discretion to determine levels of severity of infractions that can be weighed in making a decision.

Ald. Brooks agrees with the Mayor and feels this infraction does not merit denial of a license.

Ald. Wiza stated that in creating the standards for holding a license the Council considered that these individuals are responsible for maintaining the laws dealing with alcohol.

Ald. Slowinski feels that this is a minor offense but he is afraid of the precedent the Council would set in approving this license.

Ald. Walther agrees with Ald. Slowinski. The Council would be going down a slippery slope if they approve this license. If they do approve this license then he feels that the Council needs to review the guidelines for obtaining a license.

Call for the Vote: Ayes, majority; nays, minority; motion carried.

Ald. Stroik told Mr. Johnson that this matter would go before the Common Council next week and he would be given a chance to state his argument to the full Council at that time.

Ald. Stroik noted that Mike Hastings asked that his hearing be postponed until next month.

**C. Special Class “B” / “Class B” Retailer’s License:**

- 1. St. Peter’s Holy Name Society, 800 Fourth Avenue, City for the St. Peter’s Annual Holy Name Society Dance on Sunday, April 18, 2010 from 2:00 p.m. until 6:00 p.m. at St. Peter’s Middle School, 708 First Street, Stevens Point.**
- 2. Big Brothers Big Sisters of Central Wisconsin (d/b/a Big Brothers Big Sisters of Portage County), 3262 Church Street, Stevens Point, WI on Saturday, June 12, 2010 for the Taste of the Town at Pfiffner Park.**

Ald. Wiza **moved**, Ald. Slowinski seconded, to approve both St. Peter’s Annual Holy Name Society Dance on Sunday, April 18, 2010 and Big Brothers Big Sisters of Central Wisconsin’s Taste of the Town on Saturday, June 12, 2010.

Ayes, all; nays, none; motion carried.

**2. Consideration of Request to Hold Event and Street Closings: Friends of 90FM, WWSP 90FM Radio - Annual Trivia Parade on April 16, 2010.**

Ald. Trzebiatowski **moved**, Ald. Wiza seconded, to approve the request to hold an event and the street closings of the Friends of 90FM, WWSP 90FM Radio, for the Annual Trivia Parade on April 16, 2010.

Ayes, all; nays, none; motion carried.

**3. Discussion and Possible Action on the Monthly Inspection Report.**

Director Morrissey noted that the City is still enforcing the sidewalk snow removal ordinance. He also pointed out that the declared value for the City is on par with where it was two years ago.

Ald. Slowinski **moved**, Ald. R. Stroik seconded, to approve the Monthly Inspection Report and place it on file.

Ayes, all; nays, none; motion carried.

**4. Adjourned at 7:12 p.m.**

**PUBLIC PROTECTION COMMITTEE AGENDA**  
**Monday, March 8, 2010 – 6:25 P.M.**  
**(or immediately following previously scheduled meeting)**  
**Lincoln Center – 1519 Water Street**

[A quorum of the City Council may attend this meeting]

1. Discussion and Possible Action on the Recommendations on the License List:
  - A. New Operator's (Bartender's) Licenses.
  - B. Recommended Rejections - Operator's (Bartender's) Licenses.
  - C. Special Class "B" / "Class B" Retailer's License:
    1. St. Peter's Holy Name Society, 800 Fourth Avenue, City for the St. Peter's Annual Holy Name Society Dance on Sunday, April 18, 2010 from 2:00 p.m. until 6:00 p.m. at St. Peter's Middle School, 708 First Street, Stevens Point,
    2. Big Brothers Big Sisters of Central Wisconsin (d/b/a Big Brothers Big Sisters of Portage County), 3262 Church Street, Stevens Point, WI on Saturday, June 12, 2010 for the Taste of the Town at Pfiffner Park.
2. Consideration of Request to Hold Event and Street Closings - Friends of 90FM & WWSP 90FM Radio for the Annual Trivia Parade on April 16, 2010.
3. Discussion and Possible Action on the Monthly Inspection Report.
4. Adjournment.

Any person who has special needs while attending this meeting or needs 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 Strong's Avenue, 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.

RECEIVED

MAR 03 2010

CITY CLERKS  
OFFICE

To: City of Stevens Point

From: Friends of 90FM, WWSP 90FM Radio, Jim Oliva (Chairperson of Trivia)

Re: Trivia Parade Permit

Date: March 3, 2010

We are again asking permission to hold a Trivia Parade prior to the 2010 Trivia Contest on WWSP 90FM radio. We will again be registering teams in advance at the 90FM studios, and will ask Trivia teams to be in the parade on April 16. We would like to start the parade at 4:00 P.M. in the parking lot on Illinois Avenue(lot Q). The route that the parade would follow would be the same as last year, it follows:

Illinois avenue north to Maria Drive, Turn left.  
West on Maria Drive to Isadore Street, Turn left.  
South on Isadore Street to Portage Street, Turn left.  
East on Portage Street to Phillips Street, Turn right.  
South on Phillips Street to College Avenue, Turn left.  
East on College Street to Reserve, Turn left.  
North on Reserve to High Street, Turn right.  
East on High to Fremont Street, Turn right.  
South on Fremont to Simms Avenue, Turn left.  
East on Simms into the P.J. Jacobs parking lot.

The parade should last about 1 hour, from beginning to end. We ask that the above route be approved. If there are any questions, please contact Jim Oliva at 321-0601. We will provide 8 people to help with the smooth flow of the parade.

**INSPECTION REPORT  
(February – 2010)**

<u>New Construction</u>	<u>Owner/Location</u>	<u>Declared Valuation</u>	<u>Fee</u>
Single Family	Randy Weir 2141 Jefferson St.	\$ 160,000.00	\$ 750.00
Single Family	Green Tree Const. 1217 Black Bear Tr.	\$ 140,000.00	\$ 750.00
Duplex	Lexton Properties 1909-11 Bluebell Ln.	\$ 275,000.00	\$ 1,000.00

<u>Remodeling/Additions</u>	<u>Number of Permits</u>	<u>Declared Valuation</u>	<u>Permit Fees</u>
Residential	17	\$ 51,408.00	\$ 737.50
Commercial	10	44,996.00	550.00

<u>Violations:</u>	<u># of Orders Issued:</u>
Garbage /Recycling Carts	3
Garbage	3
Rubbish	4
Furniture/Appliance	1
Exterior	1
Interior	0
Unlicensed Vehicle(s)	3
Parking	10
Occupancy	1
Weed or Snow	54
Nuisance Abatement	1
Citations Issued	1 (\$15.00 – Parking)

Service Fees Billed for Violations: \$ 530.00

**Declared Valuation to Date: \$ 1,876,470.00**  
**Total Permit Fees to Date: \$ 15,983.00**

	<u>Declared Value</u>	<u>Permit Fees</u>
2009	\$ 568,644.00	\$ 4,672.00
2008	1,892,754.00	5,648.00
2007	1,750,129.00	6,687.00