

**PUBLIC PROTECTION COMMITTEE**

**Monday, June 14, 2010 – 6:36 P.M.**

**Lincoln Center – 1519 Water Street**

Present: Alderpersons: R. Stroik, Wiza, Trzebiatowski, Slowinski, Suomi.

Also

Present: Mayor Halverson; City Attorney Molepske; C/T Schlice; Alderpersons: Mallison, O'Meara, M. Stroik, Molski, Brooks and Moore; Directors Halverson, Schrader, Morrissey; Chief Ruder; Assessor Siebers; Kelley Pazdernik; Mary Ann Lazewski; Sarah Robinson; Jeremy Baublitz; William JaJewshi; Georgia Lutz; Zackary Kluck; Sarah Smith; Matthew Brown (Gazette)

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

- A. New and Renewal Operator's (Bartender's) Licenses.**
- B. Special Class "B" / "Class B" Retailer's License: Council 1170 Knights of Columbus, 401 W. Clark Street, for the Knights of Columbus Family Picnic on Sunday, June 27, 2010 at Bukolt Park Lodge (lodge and surrounding area).**
- C. Class "B" Beer License (Renewal): Chun Hua Yang, 409 First Street, at China Wok, 135 Division Street, #6.**
- D. Class "A" Beer License: Blue Top Shell, LLC, N18582 Shrine Road, Goodman, WI 54125; Crystal Fletcher, Agent at Blue Top Shell, 3449 Church Street.**

Ald. Trzebiatowski **moved**, Ald. Slowinski seconded, to approve the 40 New and 83 Renewal Operator's Licenses; the Special Class "B" / "Class B" Retailer's License for the Knights of Columbus for their June 27, 2010 picnic; the Class "B" Beer License for Chun Hua Yang at the China Wok #6; and the Class "A" Beer License for the Blue Top Shell, LLC at 3449 Church Street.

Ayes, all; nays, none; motion carried.

**E. Temporary Extension of Premise:**

- i. Kristin M. Mertes, 2717 Blaine Street, and Jeffery W. Brown, 1159 W Wilshire Drive, at Kristin's Riverwalk, 1140 Clark Street, for a sidewalk café license.**
- ii. Bars None, Inc., 912 Main Street, Daniel Retzki, agent at Graffiti, 912 Main Street, for a sidewalk café license.**
- iii. SPB LLC, 2617 Water Street, Arthur Oksuita, agent at the Stevens Point Brewery, 2617 Water Street, for August 13 and August 14, 2010 to include Water Street and park property across the street from the brewery for the annual Brews, Brats and Bands Festival.**
- iv. AWRRF, Inc., 484 Division Street, at J. R. Liquor, 484 Division Street, Matt Lazarski, agent, for Thursday, July 22, 2010 to include an adjoining 50' x 50' area for the purpose of sampling wine.**

Ald. R. Stroik noted that Graffiti's request was removed from the agenda.

Ald Wiza **moved**, Ald. Slowinski seconded, to approve the requests for Temporary Extension of Premise from Kristin M. Mertes, and Jeffery W. Brown, at Kristin's Riverwalk for a sidewalk café license; SPB LLC, Arthur Oksuita, agent at the Stevens Point Brewery, 2617 Water Street, for August 13 and August 14, 2010 to include Water Street and park property across the street from the brewery for the annual Brews, Brats and Bands Festival; and the AWRRF, Inc., at J. R. Liquor, 484 Division

Street, Matt Lazarski, agent, for Thursday, July 22, 2010 to include an adjoining 50' x 50' area for the purpose of sampling wine.

Ayes, all; nays, none; motion carried.

#### **F. Recommended Rejections and 6 month Rejections – Operator License Applications.**

Ald. R. Stroik noted that Kaylyn Ronk's hearing has been moved to next month.

##### **Recommended Rejection**

Jeremy Baublitz stated that 22 months ago he was cited for possession of marijuana. He said that he needs this license in order to get a job.

Chief Ruder said that according to the criteria set to hold a license an individual cannot have a conviction of a controlled substance for at least 24 months.

Barb Jacob said that he is a good worker who made a mistake. She asked if the Committee could table the decision for two months so he would not have to pay the fee again.

Ald. R. Stroik noted that he could still work, just not alone.

Ald. Wiza **moved**, Ald. Suomi seconded to forward this recommended rejection onto the Council without a recommendation.

Ayes, majority; nays, minority; motion carried.

##### **Recommended 6-month Rejections**

Chief Ruder noted that the recommended 6-month denial for Zackary Kluck was due to the fact that he failed to list two underage alcohol convictions, one in 2007 and another 2009.

Zackary Kluck said that he did fail to list them and it was a mistake on his part. He said that he did not read that section fully.

Ald. Trzebiatowski asked when the 2009 offense took place.

Chief Ruder noted it was in June of 2009.

Ald. Trzebiatowski **moved**, Wiza seconded, to reject the application for 6 months.

Ayes, all; nays, none; motion carried.

Chief Ruder noted that the recommended 6 month denial for Jordan Felhofer was due to the fact that he failed to list an underage alcohol conviction.

Mr. Felhofer was not in attendance.

Ald. Trzebiatowski **moved**, Ald. Slowinski seconded, to reject the application of Jordan Felhofer for the 6-month period.

Ayes, all; nays, none; motion carried.

Chief Ruder said on the application it reads, "List all convictions of the law involving drugs, drug paraphernalia, or alcohol, including underage drinking, and the date of conviction for each offense." This recommended 6-month denial for William Jajewski was due to the fact that he failed to list his 2008 OWI conviction.

William Jajewski said that he read the application and that it said go back two years and his OWI was more than two years ago.

Chief Ruder noted that on the back of the application it states "list all convictions".

Mr. Jajewski said he did not see that part. He only saw the other section that talks about offenses going back two years.

Ald. Slowinski wondered if the form should be looked at again because of the confusion people seem to be having with the questions.

Chief Ruder noted well over 100 people applied this month of which four had problems.

Ald. R. Stroik asked the Chief to review the application with respect to Mr. Jajewski comment about going back just two years.

Chief Ruder said that there are two documents to fill out, the actual application, where the applicant needs to list all convictions, and then there is a license application information sheet with a check list of specific offenses within specific timelines. On this document it does state any OWI convictions within the past 12 months.

Ald. Wiza **moved**, Ald. Slowinski seconded, to reject the application.

Ayes, all; nays, none; motion carried.

**G. Taxi Cab Company License: Courtesy Carriers, dba Courtesy Cabs, 5622 County Road B; Kathleen Sankey, owner.**

Chief Ruder noted that the Police Department did not have any issues with the application.

Ald. Slowinski **moved**, Ald. Trzebiatowski seconded, to approve the renewal of the Taxi Cab Company License.

Ayes, all; nays, none; motion carried.

#### **H. Taxi Cab Driver's Licenses.**

Chief Ruder noted that the Police Department did not have any issues with the 17 applicants.

Ald. Trzebiatowski **moved**, Ald. Wiza seconded, to approve the 17 Taxi Cab Driver's License applications.

Ayes, all; nays, none; motion carried.

#### **I. Commercial Animal Establishment (Renewal): The Barking Lot, 3432 Minnesota Avenue, Pamalla Schneider, 1937 Plover Street, owner.**

Ald. R. Stroik **moved**, Ald. Slowinski seconded, to approve the renewal of the Commercial Animal Establishment license for The Barking Lot.

Ayes, all; nays, none; motion carried.

### **2. Consideration of Request to Hold Event / Street Closings:**

**A. Wounded Warrior Project – “Warrior Run” 5k Run/Walk on September 11, 2010.**

**B. Stevens Point Brewery – Annual Brews Brats and Bands Festival on August 13-14, 2010, and closure of a portion of Water St.**

**C. Association of Downtown Businesses – Annual Corn on the Curb on August 7, 2010, and closure of portions of Main St. and Second St.**

Chief Ruder said the Department did not have any issues with the events. The Warrior Run is new this year but the Department did not have a problem with the route and there are enough volunteers to help with traffic control.

Sarah Smith, Race Director, noted that Forest Street is not heavily used and some of the route is along the bike path. She was there to answer any questions.

Ald. Slowinski **moved**, Ald. Trzebiatowski seconded, to approve the Requests to Hold Event / Street Closings for the Wounded Warrior Project – Warrior Run, the Stevens Point Brewery – Annual Brews Brats and Bands Festival, and the Association of Downtown Businesses – Annual Corn on the Curb.

Ayes, all; nays, none; motion carried.

### **3. Discussion and Possible Action on Ordinance Amendment to City Smoking Ban to Conform to State Statutes.**

City Attorney Molepske suggested that the City adopt the State's Statute as it relates to smoking in public places. In regards to the questions about the definition of a “wall”, included in the packet is

model language that could be used. He believes that the City should just allow the law to go into effect and at some point the City can clarify that definition.

Ald. Wiza asked what would be the ramifications for the City if they did not adopt the changes.

City Attorney Molepske replied nothing really; state law super cedes municipal ordinances that are in contravention.

Ald. R. Stroik asked what is the City Attorney's recommendation.

City Attorney Molepske said to just send it to the Council floor and let them make the determination. He will have additional information for the Council on Friday.

Ald. R. Stroik **moved**, Ald. Wiza seconded, to send this item directly to the Council for action.

Ayes, all; nays, none; motion carried.

#### **4. Discussion and Possible Action on the Monthly Inspection Report.**

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

Ayes, all; nays, none; motion carried.

#### **5. Adjourned at 7:21 p.m.**