

PUBLIC PROTECTION COMMITTEE
Monday, July 12, 2010 – 6:27 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; Clerk Moe; Alderpersons: Mallison, O'Meara, M. Stroik, Molski, Brooks and Moore; Directors Halverson, Schrader, Ostrowski, Lemke; Chief Ruder; Assessor Siebers; Kelley Pazdernik; Sarah Robinson; Leona Drefcinski; Earl Drefcinski; Barb Jacob; Reid Rocheleau; Sadie Pechinski; Sean Stroik; Matthew Brown (Gazette).

1. Update on Police and Fire Commission Strategic Vision Plan and Community Survey Impact.

Ald. Stroik noted this item was pulled from the agenda and will be placed on the Common Council Agenda.

2. Discussion and Possible Action on the Recommendations on the License List:

A. New and Renewal Operator's (Bartender's) Licenses.

B. Renewal of Manager's License.

C. Special Class "B" / "Class B" Retailer's License:

- i. Portage County Democratic Party, PO Box 515, Stevens Point, for the Portage County Democratic Party Picnic on Sunday, August 29, 2010 at Pfiffner Pioneer Building Shelter.**
- ii. St. Stanislaus Holy Name Society, 838 Fremont Street, for the St. Stanislaus Holy Name Steak Feed on Tuesday, August 10, 2010 at the Bukolt Park Lodge (lodge and area surrounding lodge).**
- iii. Association of Downtown Businesses, 1245 Main Street, for Corn on the Curb on Saturday, August 7, 2010 on the Market Square.**
- iv. Association of Downtown Businesses, 1245 Main Street, for Dozynki Harvest Fest on Friday, Sept. 17, 2010 and Saturday, Sept. 18, 2010 on the Market Square.**

D. Class "B" Beer License (Renewal) for the Portage County Youth on Ice, Inc., 801 Badger Drive.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, to approve the 28 New Operator one-year licenses and 87 Renewal two-year licenses and the 15 supplemental; the Special Class "B" / "Class B" Retailer's Licenses for the Portage County Democratic Party for the Democratic Party Picnic on Sunday, August 29, at Pfiffner Pioneer Building; St. Stanislaus Holy Name Society for the Steak Feed on Tuesday, August 10, at the Bukolt Park Lodge; the Association of Downtown Businesses for Corn on the Curb on Saturday, August 7, on the Market Square; and the Association of Downtown Businesses for Dozynki Harvest Fest on Friday, Sept. 17 and Saturday, Sept. 18, on the Market Square; and the Class "B" Beer License for the Portage County Youth on Ice, Inc., 801 Badger Drive.

Ayes, all; nays, none; motion carried.

E. Temporary Extension of Premise:

- i. Bars None, Inc., 912 Main Street, Daniel Retzki, Agent at Graffiti, 912 Main Street, for a sidewalk café license.**
- ii. Guu's Inc., 1140 Main Street, Scott Gulan, Agent at 1140 Main Street, for a sidewalk café license.**

Ald. Stroik noted both requests were approved by the City Plan Commission.

Ald. Trzebiatowski asked if the fences would be removable and if they would have to be put up and taken down each day.

Chief Ruder replied that was correct.

Ald. Slowinski **moved**, Ald. Stroik seconded, approval of the Temporary Extension of Premise for Bars None, Inc., 912 Main Street, Daniel Retzki, Agent at Graffiti, 912 Main Street, for a sidewalk café license and Guu's Inc., 1140 Main Street, Scott Gulan, Agent, for a sidewalk café license.

Ayes, all; nays, none; motion carried.

F. Recommended Rejections and 6 month Rejections of Operator License Applications.

Ald. Stroik noted that Travis Nix asked that his hearing be postponed until next month.

Ald. Wiza asked that the City Attorney review the 6-month denial and bring possible recommendations back to the Committee.

Ald. Stroik noted that the 6-month period was set to make sure the applicant would take the time to fill out the application correctly.

Police Chief Ruder said the parameters are up to the committee. He would not object to the review but noted that on the application form, there are three locations where the applicants are asked to answer the questions fully.

Sadie Pechinski Hearing on Recommended Denial.

Ald. Wiza noted that he would not be voting on this case due to a conflict of interest.

Sadie Pechinski said that she was recommended for denial by the Police Department because a patron was in the bar after closing and she did not take his beer away. She said that she has worked as a bartender for five years and said the severity of the offense is minimal and she has already paid a \$263 fine. She feels the fine was adequate, that justice has been served and that she should not lose her livelihood.

Ald. Trzebiatowski thought the sale of the alcohol and not the possession was a violation.

Chief Ruder said that only employees are allowed on the premise after closing. The patron was on premise after the establishment was required by state statute to be closed.

Sean Stroik, owner of Joe's Bar, spoke on behalf of Ms. Pechinski and asked the Committee to approve her license.

Reid Rocheleau feels the committee always denies requests and asked why they even let people come before them.

Barb Jacob feels the City is holding bartenders to a higher standard than even bar owners. She thinks the City should look at this.

Ald. Trzebiatowski **moved**, Ald. Suomi seconded, to approve the operator license application for Sadie Sue Pechinski, 1528 Larry's Drive, Stevens Point.

Chief Ruder said renewal applicants know the criteria to hold a license as well as the ramifications for making bad choices. The choice was hers to leave someone in the bar who was not an employee and who was drinking. The City needs to be very careful as the requirements are specifically stated, and in a college town, it needs to be clear that they will follow through with the requirements.

Ald. Suomi, noting Barb Jacobs statements, would like the bar owners held accountable.

City Attorney Molepske said the City does hold bar owners accountable. The Council has acted against bar owners and has suspended or moved to revoke licenses.

Ald. Trzebiatowski noted the reason for the motion to approve the license was because of the severity of the conviction and the clarity of the application form and the timeframe since its last update.

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

Kaylyn Ronk Hearing on Recommended 6-month Denial.

Kaylyn Ronk was not present.

Chief Ruder said that Ms. Ronk failed to list her two underage drinking citations that occurred within the last two years on her application.

Ald. Wiza **moved**, Ald. Suomi seconded, to deny the request.

Ayes, all; nays, none; motion carried.

G. Commercial Animal Establishment (Renewal) for Cragg Kennels, 2107 Country Club Drive, Harriet Ann Cragg, owner.

Clerk Moe noted that before an application comes to the Committee it must receive the sign-off of the Humane Society.

Ald. Slowinski **moved**, Ald. Trzebiatowski seconded, approval the Commercial Animal Establishment license for Cragg Kennels.

Ayes, all; nays, none; motion carried.

H. Secondhand Jewelry Dealer License for Grubba Jewelers, Inc., 949 Main Street, Charles L. Grubba, owner.

Ald. Wiza asked if the Secondhand Jewelry Dealer would have to follow the same reporting requirements as a pawnshop.

Clerk Moe said that they do.

Mayor Halverson asked if other jewelry stores have been notified about this permit process.

Clerk Moe said that letters did go out to jewelry stores notifying them that if they are buying jewelry they would need a license.

Ald. Stroik **moved**, Ald. Slowinski seconded, to approve the Secondhand Jewelry Dealer License for Grubba Jewelers, Inc., 949 Main Street, Charles L. Grubba, owner.

Ayes, all; nays, none; motion carried.

3. Consideration of Request to Hold Event / Street Closings for the Association of Downtown Businesses - Use of a Tent, Parking Restrictions, Close Portion of the Square on Sept. 17 and 18 and a Portion of Main St. on Sept. 18, for the Annual Dozynki Harvest Fest.

Ald. Trzebiatowski asked if there were any troubles with the event.

Chief Ruder said the Department had no problems.

Ald. Trzebiatowski **moved**, Ald. Suomi seconded, to approve the request to Hold Event / Street Closings for the Association of Downtown Businesses - Use of a Tent, Parking Restrictions, Close Portion of the Square on Sept. 17 and 18 and a Portion of Main St. on Sept. 18, for the Annual Dozynki Harvest Fest.

Ayes, all; nays, none; motion carried.

4. Request for Exception to the Outdoor, Ordinary Combustable – Fire/Fueled, Furnaces – Sect. 6.08 of the RMC – 456 Bukolt Ave.

Ald. Stroik said that a permit was issued back in 2004. He noted the emails from the Inspection Department and Fire Chief Zinda say they have no issue with granting this permit as well as the letters from neighbors indicating they have no problems with allowing this outdoor furnace.

Earl Drefcinski was there to answer any questions.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, to allow the exception to the Outdoor, Ordinary Combustable – Fire/Fueled, Furnaces – Sect. 6.08 of the RMC at 456 Bukolt Ave.

Ayes, all; nays, none; motion carried.

5. Discussion and Possible Action on the Monthly Inspection Report.

Director Ostrowski noted that single family new construct is up from last year. He also noted that violations are up from last year.

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

6. Adjourned at 7:15 p.m.