

PUBLIC PROTECTION COMMITTEE
Monday, August 9, 2010 – 7:50 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: M. Stroik, Molski; Directors Halverson, Schrader, Ostrowski; Chief Ruder; Barb Jacob; Jeff Decker; Matthew Brown (Gazette).

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

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

Ald. Wiza **moved**, Ald. Slowinski seconded, approval of the 25 new and 17 renewal Operator's (Bartender's) Licenses.

Ayes, all; nays, none; motion carried.

B. Class "B" Beer License for the JRs Pizza Chef, Inc., 1319 Strongs Avenue, for Loonies Deli and Pizzeria, 1319 Strongs Avenue; Richard W. Horst, Jr. agent. (formerly Mission Coffee House).

Chief Ruder said as it is a restaurant he does not see there being an issue.

Ald. Trzebiatowski noted that there has been problem at this location in the past.

Chief Ruder said the business model is much different for the former owners who sought a younger clientele. He does not see that same atmosphere with this business.

Ald. Slowinski **moved**, Ald. Wiza seconded, to grant the Class "B" Beer License for the JRs Pizza Chef, Inc., at 1319 Strongs Avenue, for Loonies Deli and Pizzeria, 1319 Strongs Avenue; Richard W. Horst, Jr. agent.

Ayes, all; nays, none; motion carried.

C. Extension of Premise for Blazin Wings, Inc., 5500 Wayzata Blvd, Suite 1600, Minneapolis, MN, for Buffalo Wild Wings Grill and Bar, 5370 Highway 10 East, Suite H; Richard J. Tolbert, agent. (extension of licensed premise to include an outdoor patio area with a 3 foot high metal railing).

Barb Jacob feels that there needs to be more consistency in the heights of the fences.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, to approve Extension of Premise for an outside patio for Blazin Wings, Inc., known as Buffalo Wild Wings Grill and Bar on Highway 10 East.

Ayes, all; nays, none; motion carried.

D. Temporary Extension of Premise - Ken Butterfield, 2016 Birch Bay Road, Tomahawk, for Butter's Brickhouse Tavern, 1343 Second Street, for a temporary extension of license description for Saturday, September 18, 2010 to include the privately owned alley/driveway adjacent to Butter's.

Withdrawn

E. Recommended Rejections - Operator License.

Travis Nix was not present for his hearing.

Chief Ruder reviewed his record which includes a pending third OWI that is currently being adjudicated. The OWI occurred in 2009 with a hit and run. He is in the process of being a habitual offender. He concluded that he has a lot of concerns with this person serving alcohol and being responsible.

Ald. Wiza noted that since he has not been convicted yet he would meet the criteria.

Chief Ruder noted that he is going to a plea hearing. Based on what he wrote on his application he assumes it is going to be a conviction. So that, along with everything else in his record, after the hearing he will be a habitual offender.

Ald. Wiza **moved**, Ald. Slowinski seconded, rejection of Travis Nix's Operators license, but if he is not convicted of his third OWI then he has the opportunity to reapply.

Ald. Trzebiatowski asked for the dates of his other offenses.

Chief Ruder said that he was convicted OWI in 2007, convicted of OWI in 2003, he is currently out on bond, in May, 2010, he was cited for operating after revocation and bail jumping. He concluded that he could go on and on.

CALL FOR THE VOTE: Ayes, majority; nays, minority; motion carried.

Meagan Ann Cahn was not present for her hearing.

Chief Ruder noted that she was just convicted in June of OWI.

Ald. R. Stroik, **moved**, Ald. Trzebiatowski seconded, to deny the operator's license.

Ayes, all; nays, none; motion carried.

F. Secondhand Jewelry Dealer License:

- i. The Diamond Factory, 1116 Main Street; Patrick A. Martin, 3320 Cleveland Avenue, Plover, owner.**
- ii. Lee Ayers Jewelers, 1044 Main Street; Leon R. Ayers, 2080 Windsor Court, #6, Plover, owner.**

Chief Ruder asked that consideration of the Secondhand Jewelry Dealer License of the Diamond Factory be postponed to a later date due to an investigation.

Ald. Trzebiatowski **moved**, Ald. Suomi seconded, to postpone the decision on the Diamond Factory, 1116 Main Street; Patrick A. Martin, 3320 Cleveland Avenue, Plover, owner, until a later date.

Ayes, all; nays, none; motion carried.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, to approve the Secondhand Jewelry Dealer License for Lee Ayers Jewelers, 1044 Main Street; Leon R. Ayers, 2080 Windsor Court, #6, Plover, owner.

Ayes, all; nays, none; motion carried.

2. Ordinance Amendment - Subsections (13)(c) and (15)(a) of Sec. 12.14 of the RMC - Operator's License and Manager's License - Penalties for Failure to Complete Applications.

Ald. Wiza thanked those that worked on the amendment.

Ald. R. Stroik noted that the application standards will be brought back before the Committee next month for review.

Barb Jacob is concerned that the right to an appeal may cost the City money.

Ald. Wiza wanted to know what happens to those over the last couple of months that received a 6-month rejection.

City Attorney Molepske said their rejection would apply to the ordinance in place at the time unless the City would make this retroactive to apply to all applicants affected.

Ald. Wiza **moved**, Ald. Slowinski seconded, to approve the Ordinance Amendment with it being retroactive to anyone that received a 6-month rejection.

Ayes, all; nays, none; motion carried.

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

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

Ayes, all; nays, none; motion carried.

4. Adjourned at 8:13 p.m.