

**PUBLIC PROTECTION COMMITTEE**  
**Monday, October 11, 2010 – 6:00 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, Moore; Directors Halverson, Schrader, Ostrowski, Lemke, Morris; Chief Ruder; Assessor Siebers; Kelley Pazdernik; Barb Jacob; Reid Rocheleau; Brian Kowalski; Matthew Brown.

**1. Discussion and Possible Action on Guidelines for “Class B” Combination Licenses.**

Ald. R. Stroik noted that he is looking for feedback on the guidelines presented. He does not feel that any action will be taken at this point.

Ald. Slowinski feels the guidelines are good only when comparing requests. He does like emphasizing saturation of the market in the immediate vicinity.

Dir. Ostrowski said the goal of the proposed guidelines is to give alderpersons issues to think about whenever a request for a license comes before them. Every applicant should be held to some sort of standards, whether it be creation of jobs or saturation in the market, tax base, or investment in the property. These things should be kept in mind when looking at an application.

Ald. Suomi asked if the guidelines would be available for applicants.

Dir. Ostrowski said applicants would be asked to provide the information with their application.

Mayor Halverson noted that these are just guidelines to assist the committee when they look at future requests. Additional licenses will only come from population growth or licenses returned to the City. He feels that the guidelines should be used to determine the applicability of an application against a future unknown application. The City needs to look at future applicants and establish the economic impact – the size and scope of that project. It should be used as an economic tool for job creation verses just issuing a license. The guidelines will help ensure that the City gets a best deal when issuing a license.

Ald. O'Meara suggested that under the full financial investment of the project, that there be a metric that would be the ratio of public funding over private funding including public works. That ratio should be less than .05. So if a person was going to spend \$100,000 on their project, it would be reasonable for the City to come up with \$5,000.

Barb Jacob asked that the memo be read to the audience.

Ald. R. Stroik read the memo. He then reiterated that these are general guidelines for members to consider and not set policies.

With no further comments Chairman R. Stroik moved to the next agenda item.

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

- A. Extension of Premise: Jason J. Glisczynski, 1920 Adams Street, Plover, WI at Player's Lounge, 2124 Rice Street, Stevens Point. A permanent change to the premise description for Player's Lounge to include the indoor volleyball courts during the time of "league play only, Sunday-Thursday from 5:00 p.m. until 11:00 p.m."**

City Attorney Molepske said the public notice that was given for the Plan Commission's Conditional Use was not correct; therefore, consideration of the Conditional Use cannot be taken Monday night. The Public Protection Committee is not affected because it was properly noticed. The actions of the committee on this agenda item are however subject to the zoning ordinance and the adoption of the Conditional Use by the Common Council after a public hearing. This means that any decision the committee makes cannot take effect until after the adoption of the Conditional Use by the Common Council.

Ald. R. Stroik asked about the process going forward.

City Attorney Molepske said that the Plan Commission has met on this item but there still needs to be a public hearing. The Committee can either move forward with the agenda item knowing the actions do not go into effect until November or the committee can adjourn the matter until November.

Ald. R. Stroik said he believes the committee should move forward with the agenda item. He asked Chief Ruder for his comments.

Chief Ruder said the Police Department does have concerns with minors being on location and speaking with the City Attorney they would not be allowed on premise.

Jason Glisczynski, owner of the Player's Lounge, said minors must be supervised by a parent.

Ald. Wiza asked if minors could be allowed on the premises without parental/guardian supervision.

City Attorney Molepske said it depends on the business. Bowling alleys, banquet halls, specific size volleyball courts, restaurants, and baseball stadiums are all examples of alcohol premises where minors can be present without supervision. However, granting the extension is up to the Council.

Ald. Trzebiatowski asked if the Council can impose stricter conditions.

City Attorney Molepske said the City must follow state law. In this case, it is much easier under the City's zoning to impose stricter conditions.

Mayor Halverson noted the roles of the Plan Commission and Public Protection Committee are very different. Plan is much more concerned about neighborhood dynamics so the interaction of minors in an establishment is not within their purview.

City Attorney Molepske said the Committee can apply safety, welfare, what is good for underage people in the building, and determining conditions such as hours of operation.

Ald. R. Stroik said when Mr. Glisczynski's first application came before the Committee there was a lot of debate about not licensing the sports arena and that Mr. Glisczynski was okay with that. He voiced concerns at that time about the Committee granting approval and that Mr. Glisczynski would be back within a year with requests to move the premises into that area. The Committee was assured that would not be the case but here we are today with his request.

Jason Glisczynski said that with the original conditional use being granted there was discussion about temporary extensions for events. He has not had much success getting some of those events approved. He noted that times are tough but additional revenue is there to be made if we are allowed to have the extension during league play. He said that they have yet to have a minor team. Minors play club or at the university, they don't want to play in a bar league. He concluded saying that he feels that he is not asking for anything that his competitors don't already do.

Ald. Brooks said that when this first came before the Council its biggest selling point was that it was a sports complex and alcohol sales were to help pay for it. But over the course of time it has become clear that it is a tavern that allows sports to be played there. He raised concern about having alcohol in the sports area and the increased consumption that will result from it. He asked the Committee to deny the request.

Chief Ruder said one other issue to consider is the location of the establishment in a heavy residential neighborhood, which is different from its competitors. The more the premise is extended the more likelihood of problems arising in the neighborhood. He noted there have been 6 noise complaints since April as well as other violations such as theft and disorderly conduct. There have also been ambulance calls and some traffic issues.

Ald. Trzebiatowski moved, Ald. R. Stroik seconded, to deny the permanent change to the premise description for Player's Lounge to include the indoor volleyball courts during the time of "league play, Sunday-Thursday from 5:00 p.m. until 11:00 p.m.

Barb Jacob feels there is no reason that he should not be allowed the extension. If it becomes a problem then the Council can pull it.

Ald. R. Stroik said that if this motion passes it will not put him out of business. Rather it says that we need to stick to what we agreed to when the license was granted in the first place.

Ald. Wiza asked if all the conditions of the conditional use have been met.

Dir. Ostrowski said there were three conditions that have not been met as of last week.

Ald. Slowinski feels that the Council should approve the extension.

Ald. Suomi asked for clarification on the number of calls because at the Plan Commission meeting it was noted that there were only three.

Chief Ruder noted that the latest one was not on the list. Warnings are issued because the Department prefers to work with the establishments to come into compliance.

Mayor Halverson noted that when the license was initially issued to this establishment there were added conditions placed on the property because of the concerns that were voiced by neighbors and the proximity to a school. With the number of noise complaints that we are now starting to get one could assume that some of those neighborhood dynamics are starting again. It may seem that we are adding conditions and we are because that is what residents in the area demanded of us.

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

**B. Temporary Extension of Premise: Jason J. Glisczynski, 1920 Adams Street, Plover, WI at Player's Lounge, 2124 Rice Street, Stevens Point, (Temporary extension of license to include the sports center on the following dates:**

- i. October 23, 2010,**
- ii. November 6, 2010,**
- iii. November 20, 2010,**
- iv. December 11, 2010,**
- v. December 18, 2010.**

Due to a public noticing error by the Community Development Department the first date will not be acted upon.

Jason Glisczynski noted that volleyball tournaments are scheduled for November 6 and 20, and December 18, 2010. A corporate holiday party is scheduled for December 11, 2010.

Chief Ruder said the Department has concerns of the neighborhood and the amount of traffic coming through the area. He believes volleyball tournaments can continue without alcohol.

Reid Rocheleau believes that Mr. Glisczynski deserves to be given the temporary extensions for these events.

Ald. Brooks is concerned that neighbors are not being notified of events as promised. He recommended that the Committee approve only the December 11th date for the corporate holiday party.

Barb Jacob feels that Mr. Glisczynski should be given the temporary extensions.

Jason Glisczynski stated that neighbors are notified about the larger events and that they all have his cell phone number if there is an issue.

Ald. R. Stroik asked where the alcohol would be allowed in the sports area.

Jason Glisczynski said they would set up plastic tables and chairs on the concrete area around the volleyball courts.

Ald. R. Stroik said the Committee could consider approving the November 6th request and monitor how it goes before approving the other requests.

Mayor Halverson said that would not be feasible given when the Committee and Council would meet again unless they also approve allowing the Police Chief and Community Development Director the ability to make the decision.

Ald. Suomi **moved**, Ald. Slowinski seconded to approve the Temporary Extension of Premise for Mr. Glisczynski at the Player's Lounge for the dates of November 6, 2010 for a volleyball tournament, November 20, 2010 for a volleyball tournament, December 11, 2010 for a potential Corporate Christmas party, and December 18, 2010 for a volleyball tournament.

Ald. Wiza has concerns that the conditional use requirements set a long time ago have not yet been met.

**Call for the Vote:** Ayes, all; nays, none; motion carried.

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

**D. Special Class "B" / "Class B" Retailer's License for Arts and Culture Outreach- Continuing Education, University of Wisconsin-Stevens Point, 2100 Main Street, Stevens Point, WI; Kim O'Flaherty, Program Manager at Bistro 212, 3217 John Joanis Drive, Stevens Point, WI for a cooking class—Wine and Cheese on November 6, 2010.**

Ald. Trzebiatowski **moved**, Ald. Slowinski seconded, approval of the 33 New Operator's (Bartender's) Licenses and the Special Class "B" / "Class B" Retailer's License for Arts and Culture Outreach- Continuing Education, University of Wisconsin-Stevens Point,; Kim O'Flaherty, Program Manager at Bistro 212, 3217 John Joanis Drive, for a cooking class—Wine and Cheese on November 6, 2010.

Ayes, all; nays, none; motion carried.

**E. Recommended Operator's Rejection.**

Information about the Police Department's recommendation to deny was unavailable.

Ald. R. Stroik **moved**, Ald. Wiza seconded, to forward to the Council without a recommendation.

Ayes, all; nays, none; motion carried.

**3. Consideration of Request to Hold Event/Street Closings - Association of Downtown Businesses - Annual Holiday Parade on November 19, 2010 with parking restrictions and a portion of Main St closed.**

Ald. Slowinski moved, Ald. Wiza seconded, approval of the request.

Ayes, all; nays, none; motion carried.

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

Ald. R. Stroik moved, Ald. Trzebiatowski seconded, to accept the Monthly Inspection Report and place it on file.

Ayes, all; nays, none; motion carried.

**5. Adjourned at 7:25 p.m.**