

Meeting Minutes

Public Protection Committee

Monday, September 10, 2007, 6:00 P.M.

Lincoln Center, 1519 Water Street

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

Also Present: Mayor Halverson; City Clerk Moe; C/T Schlice; City Attorney Molepske; Ald. Myers, Walther, Hanson, Wiza, Molski, and Moore; Chief Barnes; Chief Morris; Capt. Ruder; Director Gardner; Director Schrader; Director Halverson; Jeff Hild; Specialist Jakusz; Dennis Laidlaw; Joel Lemke; Bernice Sevenich; Marshall Lee; Scott Wiza; Norman Chandler; Anya Wrycha; Deb Wrycha; Carole Cassidy; Tim Cassidy; Jeff Haessly; Reid Rocheleau; Tricia Church; Gene Kemmeter (Gazette); Jason Zencka (Journal).

Index to these minutes:

1. Recommendation on license list: A. New Operator's (Bartenders) Licenses. B. Transfer of "CLASS B" Combination License: Kristin Mertes, 2717 Blaine Street, Stevens Point, WI and Jeffery W. Brown, 1159 N Wilshire, Stevens Point, WI at Kristin's, 1140 Clark Street, Stevens Point, WI (Previously Hibachi Joe's) C. Transfer of CLASS "A" Beer License and Request for "CLASS A" Liquor License: Rabia, Inc., 2733 Stanley Street, Stevens Point, WI at Rabia, Inc., 2733 Stanley Street, Stevens Point, WI; Mohammad Asif, agent/owner. (formerly MAK Petroleum One, Inc., Stevens Mobil) D. Temporary Special CLASS "B"/ "CLASS B" Retailer's License: St. Stanislaus Kostka Parish, 838 Fremont Street, Stevens Point, WI on October 21, 2007 at Pacelli High School - cafeteria, Edward J. Okray Center and classroom #118 for the Fall Fest. Gerald Check, mgr. of the event. E. Request for Extension of Premises: Country Springs Hotel and Convention Center, 1501 North Point Drive, Stevens Point, WI to extend license premise description on October 8,9,10, 2007 to include area between the Expo and B building for a convention.

2. Consideration of request from Scales and Tails, 200 Division Street # J, to sell various wild animals.

3. Consideration of request from Norman Chandler, 1256 Washington Avenue, to raise a Tarantula, Iguana, Gecko, Blue Tongue Skink, and a Bearded Dragon.

4. Consideration of renewal of special permits to raise wild animals: A. Jeff Haessly, 2149 Rice Street - continue to raise rabbits. B. Anya Wrycha, 1916 Welsby Avenue - continue to raise rabbits.

5. Recommendation of the monthly Inspection Report: A. Construction Starts. B. Violations.

6. Adjournment.

1. Recommendation on license list:

A. New Operator's (Bartenders) Licenses.

B. Transfer of "CLASS B" Combination License: Kristin Mertes, 2717 Blaine Street, Stevens Point, WI and Jeffery W. Brown, 1159 N. Wilshire, Stevens Point, WI at Kristin's, 1140 Clark Street, Stevens Point, WI (Previously Hibachi Joe's)

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E. Request for Extension of Premises: Country Springs Hotel and Convention Center, 1501 North Point Drive, Stevens Point, WI to extend license premise description on October 8, 9, 10, 2007 to include area between the Expo and B building for a convention.

Captain Ruder stated the Police Department did not have any problems with the requests.

Ald. Trzebiatowski moved, Ald. Heart seconded, approval of the 22 new Operator's (Bartenders) Licenses; the transfer of "CLASS B" Combination License: Kristin Mertes, 2717 Blaine Street, Stevens Point, WI and Jeffery W. Brown, 1159 N. Wilshire, Stevens Point, WI at Kristin's, 1140 Clark Street, Stevens Point, WI (Previously Hibachi Joe's); the transfer of CLASS "A" Beer License and Request for "CLASS A" Liquor License: Rabia, Inc., 2733 Stanley Street, Stevens Point, WI at Rabia, Inc., 2733 Stanley Street, Stevens Point, WI; Mohammad Asif, agent/owner. (formerly MAK Petroleum One, Inc., Stevens Mobil); the temporary Special CLASS "B"/ "CLASS B" Retailer's License: St. Stanislaus Kostka Parish, 838 Fremont Street, Stevens Point, WI on October 21, 2007 at Pacelli High School - cafeteria, Edward J. Okray Center and classroom #118 for the Fall Fest. Gerald Check, mgr. of the event; and the request for Extension of Premises: Country Springs Hotel and Convention Center, 1501 North Point Drive, Stevens Point, WI to extend license premise description on October 8, 9, 10, 2007 to include area between the Expo and B building for a convention. Ayes, all; nays, none; motion carried.

2. Consideration of request from Scales and Tails, 200 Division Street # J, to sell various wild animals.

City Attorney Molepske stated that the ordinance says no one can have more than two farm/dangerous/wild animals in their possession. As the ordinance currently reads the Committee could only approve two animals for Scales and Tails, Mr. Chandler, and the two residents who want to keep rabbits. He suggested that the Committee could hear testimony but asked that no determination be made at this time. He would like time to update the ordinance and bring it and the requests back next month for consideration. He also asked for some direction from the Committee.

Ald. Stroik moved, seconded Trzebiatowski, to postpone action on items 2, 3 and 4 and allow the City Attorney time to bring the ordinance up to date.

The City Attorney noted that the Committee also needed to consider if they want exotic animals sold here in the City.

Scott Wiza, Portage County Humane Officer, stated that they did not have a problem with Scales and Tails, but he did have concerns with Mr. Chandler. He noted that they have had problems with Mr. Chandler going back to 2001 and recommended the Committee deny his request. He suggested that some type of education class be required as a condition to obtaining some of these animals. He also suggested that Scales and Tails be required to notify individuals that they need a special permit for certain animals and that the permit only be for one year.

Ald. Myers presented the Committee with a petition from residents in the First District, where Scales and Tails is located and where Mr. Chandler lives, to deny their requests.

Bernice Sevenich, 1324 Fourth Avenue, noted past action by the Public Protection Committee to allow certain animals and not others, and raised the concern about allowing exotic animals in residential areas, saying there is a difference between domesticated animals and these.

Reid Rocheleau, 408 Cedar St., Whiting, had concerns with the enforcement of the ordinance if businesses are allowed to sell exotic animals while at the same time residents of the City would first need to obtain a permit to own one.

Ald. Wiza stated that Scales and Tails serves people throughout the area and not just the City. He asked that if the ordinance is revised that the City Attorney work on more specific definitions such as what constitutes a dangerous animal and what constitutes a wild animal.

Tim Cassidy, Scales and Tails, said that most of the animals that he sells are captive breeds and that his store is big on education and provides

discounts to teachers that use the animals in their classrooms. He is in favor of more education and is willing to work with the City and the Humane Society or the University. Cassidy also noted that as a general rule he would not carry snakes that get over eight feet in length.

Marshall Lee, Executive Director of the Humane Society of Portage County, said there are two different situations here - commercial establishment that is licensed and Mr. Chandler, a private owner with a history. He can inspect a commercial establishment but he cannot inspect the private owner's property. He requested that Mr. Chandler's request be taken up.

Ald. Trzebiatowski asked that the requests be taken up separately. He also felt that there needs to be a limit on the number of cats and dogs as well.

Call for the Vote: Ald. Stroik moved, Trzebiatowski seconded, to postpone action on items 2, 3 and 4 and allow the City Attorney time to bring the ordinance up to date. Ayes, minority; Nays, majority; motion fails.

Ald. Trzebiatowski moved, Ald. Slowinski seconded, to table consideration of the request from Scales and Tails, 200 Division Street # J, to sell various wild animals until such time as the City Attorney can present a new ordinance to the Committee.

Bernice Sevenich thought that shops selling these types of animals should have to present the buyer with a copy of the City's ordinance dealing with animals.

Ald. Myers felt that when a permit is granted that the grantee should receive a paper permit to display.

Ald. Heart asked the City Attorney to provide direction on definitions, limits and requirements for buyers and sellers in the revisions.

Marshall Lee asked that the Humane Society be involved with the drafting of the new ordinance.

Amended Motion: Ald. Trzebiatowski moved, Ald. Slowinski seconded, to table consideration of the request from Scales and Tails, 200 Division Street # J, to sell various wild animals and that the City Attorney provide direction on definitions, limits and requirements and that the Humane Society be involved in its development. Ayes, all; nays, none; motion carried.

Carole Cassidy asked for clarification if they can sell these various animals in the mean time.

City Attorney Molepske stated that at this time they cannot sell the animals.

3. Consideration of request from Norman Chandler, 1256 Washington Avenue, to raise a Tarantula, Iguana, Gecko, Blue Tongue Skink, and a Bearded Dragon.

Mr. Chandler said that the Humane Society never came to his house and that he is educated in how to treat his pets. He said that he has nothing that is dangerous. He is sorry for the false information that he provided to the Humane Society.

Ald. Heart asked the Humane Society officers if they approached others with these types of animals and informed them that they needed to get a permit.

Marshall Lee stated that they have.

Ald. Heart then asked if they had come forward for a permit.

Marshall Lee stated that generally they just get rid of the animal.

Ald. Brooks asked what the options are if a permit is not granted.

Marshall Lee said there are three options: find a different home for the animals, surrender them to the Humane Society or dispose of them. If he disposes of them improperly then the Humane Society has options to consider.

Ald. Stroik feels they have two options: they can table for 30 days to allow the attorney time to come up with a new ordinance or they can deny his request under the current ordinance.

Ald. Stroik moved, Ald. Heart seconded, to postpone consideration for 30 days.

Mayor Halverson asked what is to be done in the interim with these animals.

Marshall Lee said that they would hold the animals at the Shelter until a decision is made on the ordinance.

Ald. Wiza asked that Mr. Chandler provide a list of his animals.

Ald. Stroik asked Mr. Chandler if he would be willing to surrender all the animals including the python and the alligator to the Humane Society until this issue could be resolved.

Mr. Chandler agreed.

Amended Motion: Ald. Stroik moved, Ald. Heart seconded, to table consideration of this request for 30 days. Mr. Chandler is to surrender his animals to the Humane Society until the new ordinance is drafted and accepted and a permit could be obtained. The animals to be surrendered to the Humane Society are a Tarantula, Iguana, Gecko, Blue Tongue Skink, a Bearded Dragon, Python, and Alligator. Ayes, majority; nays, minority; motion carried.

4. Consideration of renewal of special permits to raise wild animals:

A. Continue to raise rabbits - Jeff Haessly, 2149 Rice Street.

B. Continue to raise rabbits - Anya Wrycha, 1916 Welsby Avenue.

Ald. Trzebiatowski moved, Ald. Brooks seconded, to approve the requests of Jeff Haessly and Anya Wrycha to raise rabbits for one year.

City Attorney Molepske said that under the current ordinances rabbits are wild animals and the limit applies which is why the ordinance needs to be changed.

Deb Wrycha, 1916 Welsby Avenue, stated that they are not raising rabbits since the animals are fixed. She feels it is unfair that her daughter would have to choose two rabbits to keep while others can have 10 dogs.

Ald. Wiza noted the definition of a farm animal is "bred specifically for food or fiber". That is not the case here. They are not dangerous and they are not wild. They are pets.

Ald. Myers also feels that the animals are pets and do not fall in the category of wild, dangerous, or farm animals.

Ald. Brooks feels this case is very different from the others heard earlier. He believes and the requests for the rabbits should be granted temporarily for 30 days and then action can be taken after the changes to the ordinance have been made.

Ald. Trzebiatowski withdrew his motion.

Ald. Stroik moved, Ald. Heart seconded, to table the decision until the new ordinance is in place. Ayes, all; nays, none; motion carried.

5. Recommendation of the monthly Inspection Report:

A. Construction Starts.

B. Violations.

Director Gardner stated that permits issued through August for the City totaled \$25,322,780 with Plover totaling \$20,895,492. Both communities are having a good year. Violations for the month were 82 with service fees billed at \$2,850. He also dispelled the stereotypes about university students, city neighborhoods, and landlords.

Ald. Slowinski moved, Ald. Trzebiatowski seconded, approval of the monthly Inspection Report and have it placed on file. Ayes, all; nays, none; motion carried.

Adjourned 7:16 P.M.

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