

Meeting Minutes

Public Protection Committee

Monday, August 11, 2008

City Water Department, 300 Bliss Ave. Present: Alderpersons: Stroik, Trzebiatowski, Slowinski, Heart, Brooks.

Also Present: Mayor Halverson; Clerk Moe; C/T Schlice; City Attorney Molepske; Alderpersons: Myers, Walther, Hanson, Wiza, Molski, and Moore; Deputy Chief Dowling; Chief Zinda; Director Gardner; Director Halverson; Assessor Siebers; Alex Saunders; Dennis Laidlaw; Jonathan Ruder; John Ruder; Meredith Thorn; Sam Solberg; Felicity Bouman; Mike Phillips; Paul Wachowiak; Jim Demski; Jim Cooper; Reid Rocheleau; Mary Ann Laszewski; Dave Suchon; Paul Gerrard; Wayne Bushman; Gene Kemmeter (Gazette)

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 2. Request to Hold Events/Street Closings: A. Association of Downtown Businesses - Annual Christmas Parade on November 20, 2008. B. Portage County Historical Society - Civil War Recruitment Reenactment on August 23, 2008.
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 9. Adjournment.
1. Recommendation on license lists:
 - A. New and Renewal Operator's (Bartender's) Licenses.

Ald. Trzebiatowski moved, Ald. Slowinski seconded, to approve the 33 New and 4 Renewal Operator's (Bartender's) Licenses. Ayes, all; nays, none; motion carried.

B. Taxicab Driver License: Mattison, Jason T., 401 Weir Blvd, Stevens Point.

Ald. Heart moved, Ald. Stroik seconded, to approve the Taxicab License for Jason Mattison, 401 Weir Blvd. Ayes, all; nays, none; motion carried.

C. Request for Class "B" Beer License: Schroeder and Sons, LLC, 457 Fourth Ave., Stevens Point, WI; Sheldon Schroeder, Agent at the Afterdark Coffee House, 1319 Strongs Ave., Stevens Point.

Request was withdrawn.

D. Request for a Pawnbroker/Secondhand Jewelry Dealer and Secondhand Article Dealer License: Jonathan D. Ruder, 1121 Ver Bunker Avenue, Port Edwards, WI at E-Way Sales LLC, 1201 Main St., Stevens Point, WI 54481.

Jonathan Ruder said he currently has a location in Wisconsin Rapids and that his business is in the new banking industry. People who cannot get conventional loans come to him for loans ranging on average from \$10 to \$100 with a deposit of some kind of collateral. Within 30 days they come back to repay the loan with interest and get their collateral. If they do not pay it back within 30 days he holds the item for another 30 days before placing it for sale. He also noted that he does not deal with firearms and does not plan to.

Mayor Halverson asked the applicant how he handles the possibility of stolen merchandise and what would be viewed as the stereotypical problems associated with a pawn shop.

Jonathan Ruder said that when people come in he gets their information and all information is open to law enforcement. This information will be all electronic. This type of business helps law enforcement return stolen items and catch the criminals.

Ald. Heart asked his process for bicycles.

Jonathan Ruder said that he does not take bicycles.

Ald. Heart asked if this was the first request the City has had for this type of license.

Deputy Chief Dowling said the City does not currently have any of these licenses issued but that there have been a half dozen over the years.

Ald. Trzebiatowski asked if the Police Department had any concerns with this type of operation or getting information.

Deputy Chief Dowling said there is no problem. They are required to obtain information from individuals selling items and that information must be made available to law enforcement within 24 hours of receipt.

Ald. Stroik raised concerns about the large abrasive signage used by other pawn shops and believed that it is not appropriate for the gateway of the City's downtown. He asked what the storefront would look like.

Jonathan Ruder stated that when he opens a store the signage looks obnoxious. After about three weeks he plans to downsize.

Ald. Stroik asked if he has leased the location.

Jonathan Ruder said that he has a month to month lease and if his request is not granted it would not hurt his feelings. He is exploring having a location in Stevens Point or expanding elsewhere.

John Ruder stated that they deal with people that need a short term loan. They have worked with law enforcement to catch thieves and assisted people in regaining their stolen items. People do not steal because there is a pawn shop in the area. They traditionally deal with the same individuals that find themselves a bit short and who do not have good enough credit to go to a cash advance place.

Ald. Myers asked if the interest rate that they charge is regulated by the state.

City Attorney Molepske said that it is not.

Ald. Wiza asked if the Council was able to place conditions on the license such as concerns with the signage.

City Attorney said that he does not know of any ordinance or statute to set this type of condition. The aldermen either grant it or they do not.

Ald. Molski said that she is not against the pawn shop but is against having one on Main Street. It does not present the image that the downtown merchants probably want on Main Street either.

John Ruder said that it is their plan to make it look like an old fashioned store when they get done. It will look like an antique shop.

Ald. Stroik asked what the Police found in regard to the applicant.

Deputy Chief Dowling said they are required by statute to check for felonies, misdemeanors or ordinance violations substantially related to the license during the past 10 years and found that there were none.

Ald. Slowinski asked if this was an annual license.

Deputy Chief Dowling replied yes.

Ald. Trzebiatowski noted that due to the location of the request and the effect it may have on the surrounding area he is against granting the license.

Ald. Trzebiatowski moved, Ald. Stroik seconded, to deny the request for a Pawnbroker/Secondhand Jewelry Dealer and Secondhand Article Dealer License for Jonathan Ruder, Port Edwards, at E-Way Sales LLC, located at 1201 Main St.

John Ruder noted that there is a difference between their business and payday loans in that they do not hurt people's credit.

Ald. Stroik raised concerns about the location and its proximity to taverns. He asked if they looked at other locations.

Jonathan Ruder said that he was given a good deal on the lease to locate there.

Ald. Stroik asked the City Attorney if they could deny based on location.

City Attorney Molepske said that the Police Department has made the determination on the issue of moral character through the background check and found no problems. They could deny the license if the location is such that it will impede traffic or cause a disruption. He suggested that without that they either grant the license or postpone action.

Ald. Brooks noted that payday loans require a vehicle title which makes a business like this a little safer. He also noted that on one hand there is the concern that this type of business would encourage crime but on the other hand if people are able to take items in and get money then it may be a crime deterrent.

Reid Rocheleau stated that if they don't like the stereotype of a pawn shop then they can just call it by another name such as a loan shop.

Jonathan Ruder stated that he does not care if his request for a license is denied but he asks then that the City not allow any pawn shops. He requested a decision on his request be made tonight.

Call for the Vote: Motion made by Ald. Trzebiatowski, Ald. Stroik seconded, to deny the request for a Pawnbroker/Secondhand Jewelry Dealer and Secondhand Article Dealer License for Jonathan Ruder, Port Edwards, at E-Way Sales LLC, located at 1201 Main St. Ayes, four; nays, one; motion carried.

2. Request to Hold Events/Street Closings:

A. Association of Downtown Businesses - Annual Christmas Parade on November 20, 2008.

B. Portage County Historical Society - Civil War Recruitment Reenactment on August 23, 2008.

Ald. Slowinski moved, Ald. Brooks seconded, to approve the requests of the Association of Downtown Businesses - Annual Christmas Parade on November 20, 2008 and the Portage County Historical Society - Civil War Recruitment Reenactment on August 23, 2008. Ayes, all; nays, none; motion carried.

3. Ordinance Amendment - Section 3.40(1) Regarding the Number of Election Officials at each Polling Location.

Clerk Moe stated that the request is being made to have some leeway in the number of election officials working at the polls during the November Presidential Election.

Ald. Heart moved, Ald. Brooks seconded, to approve the Ordinance Amendment for Section 3.40(1) - Regarding the Number of Election Officials at each Polling Location. Ayes, all; nays, none; motion carried.

4. Resolution - Alternate Locations in Polling Places for Voter Registration.

Clerk Moe stated that with the presidential election approaching he is looking for some flexibility to move voter registration into another area of the polling place if needed to keep the flow of voters moving smoothly.

Ald. Stroik moved, Ald. Trzebiatowski seconded, to approve the Resolution regarding the Alternate Locations in Polling Places for Voter Registration with the change of the word "his" to "their". Ayes, all; nays, none; motion carried.

5. Request to Keep Chickens - Felicity Bauman, 701 Bliss Ave.

Felicity Bauman stated that they have a good enclosure for the chickens and that she has spoken to pretty much all her neighbors and they have no problems with it. She said she will not have roosters. She is not going to butcher them; they will be taken to a processing plant. She does have insurance.

Ald. Trzebiatowski noted that he did view where they are to be kept. He spoke with her backyard neighbor who feels she would be a conscientious caretaker/owner.

Ald. Moore noted that a few years back there was an individual with chickens in the 9th District so this is not something new.

Ald. Brooks feels that there needs to be a limit on the number of chickens that will be allowed.

Ald. Heart moved, Ald. Brooks seconded, to approve the request to keep chickens, not more than 10 and no roosters, at 701 Bliss Avenue. Ayes, all; nays, none; motion carried.

6. Observance of Halloween - Date and Time of Trick-or-Treat.

Ald. Brooks feels that since Halloween is on a Friday that the City should take advantage of it.

Ald. Stroik asked if the Police Department would have any issues with having it on a Friday evening versus the traditional Sunday format.

Deputy Chief Dowling said that they had discussed this and found no issue with having it on Friday evening.

Ald. Trzebiatowski moved, Ald. Slowinski seconded, to approve Trick-or-Treat on Friday, October 31 from 5:00 p.m. to 8:00 p.m. Ayes, all; nays, none; motion carried.

7. Ordinance Amendment - Regulation of Outdoor Solid Fuel Burning Furnaces.

Director Gardner noted that in 2006 the Council placed a ban on outdoor furnaces due to health concerns. He noted that while indoor furnaces are regulated outdoor furnaces are not. The EPA is currently working on standards for outdoor furnaces but they are not expected to be implemented for a couple of years. He is asking the Committee to discuss whether to continue the ban or move to management. If the Committee moves to management then he would like some guidance on the details for the ordinance.

Ald. Myers asked if someone could burn green or treated wood.

Chief Zinda stated that treated lumber is excluded from what can be burned.

Ald. Moore said it was not just a health issue but it was also about the nuisance of smoke getting into neighbors' homes.

Dave Suchon stated that he supports Bushman's request.

Felicity Bauman stated that she lives right across from the outdoor furnace and has not had problems with it.

Jim Cooper stated that he also has not had problems with it.

Jim Demski said that he lives south of the outdoor furnace and he has never had an issue with it.

Ald. Trzebiatowski has concerns with allowing these furnaces within residential areas in particular.

Ald. Stroik asked Director Gardner as to what he is looking for from the Committee.

Director Gardner stated they are looking to them for guidance in terms of banning or managing wood burning furnaces. If the Committee decides to manage the furnaces then they could come back next month with particular recommendations.

Ald. Trzebiatowski moved, Ald. Brooks seconded, to approve the use of Outdoor Wood Burning Furnaces in M1 and M2 areas and direct the City staff to come back next month with the ordinance proposal.

Wayne Bushman noted that his request is a unique situation and he is not asking for any special treatment. He thanked the City for their work and consideration.

Ald. Heart recommends that the City wait, like other cities, until the EPA comes out with guidelines before changing the ordinance and the ban should stay in place until then.

Reid Rocheleau asked for clarification as to what the Committee is going to do.

Ald. Stroik stated that the motion before the Committee is to allow outdoor combustible fire fuel furnaces in M1 and M2 industrial zoned areas and to direct staff to come up with an ordinance for review at the September meeting.

Call for the vote: Ayes, four; nays, one; motion carried.

8. Recommendation of the Monthly Inspection Report:

Ald. Stroik moved, Ald. Brooks seconded, to approve the Monthly Inspection Report and Place it on File. Ayes, all; nays, none; motion carried.

9. Adjourn at 7:15 p.m.

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