

Meeting Minutes

Public Protection Committee

Monday, May 12, 2008, 6:13 p.m.

Lincoln Center, 1519 Water Street Present: Alderpersons: Stroik, Trzebiatowski, Heart, Brooks.

Excused: Alderperson Slowinski.

Also Present: Mayor Halverson; Clerk Moe; C/T Schlice; City Attorney Molepske; Alderpersons: Myers, Walther, Hanson, Wiza, Molski, and Moore; Chief Morris; Director Gardner; Director Halverson; Director Schrader; Director Euclide; Assessor Siebers; Personnel Manager Jakusz; Dennis Laidlaw; Tricia Church; J. Bahling; Kelley Pazdernik; Chad Fischer; Wayne MacDonald; Lourie Pech Daley; Sarah Robinson; Chris Loken; Bruce Pepliuski; Gene Kemmeter (Gazette)

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1. Recommendation on license lists: A. New and Renewal Operator's licenses. B. Recommended Rejection of Operator's license. C. Change of Agent: 1. Stevens Point American Legion (Post 6) Baseball Club, PO Box 322, City at Bukolt Park, Stevens Point, WI; John Suchon, 1920 Green Tree Drive, Plover, WI. (previously Loretta Barber) 2. Schierl Sales Corporation, 2201 Madison Street, City; April Lynn Marthaler, 2503 Helen Street, City at The Store #58, 5601 Carrie Frost, Stevens Point, WI. (previously Edward Storm) D. Special Class "B" / "Class B" Retailer's License for St. Joseph's Parish, 1709 Wyatt Avenue, Stevens Point, WI on June 6, 7, 8, 2008. E. Recommendation on 2008-2009 License Lists - Beer and Liquor.
2. Request for an Amusement Parlor Permit from Chad Fisher, 444 W River Drive, City; at Tech Lounge, LLC, 1036 Main Street, Stevens Point, WI.
3. Request from the Association of Downtown Businesses to Close Main Street from Roger Street to Water Street from 8:00 a.m. to 2:00 p.m. on Wednesday, July 4, 2008 for the annual Fourth of July Parade.
4. Request from the SPASH Wellness Committee to hold a Triathlon on Sunday, June 8, 2008.
5. Request from the Special Olympics for No Parking and to Close a Portion of Reserve Street and a Portion of Illinois Avenue from 5:00 p.m. on Thursday, June 5, through noon on Saturday, June 7, 2008 for the Summer Games.
6. Recommendation of the Monthly Inspection Report: A. Construction Starts. B. Violations.
7. Adjournment.

1. Recommendation on license lists:

A. New and Renewal Operator's licenses.

Ald. Trzebiatowski moved, seconded by Ald. Brooks, to approve the 27 New and 14 Renewal Operator's licenses. Ayes, all; nays, none. Motion carried.

B. Recommended Rejection of Operator's license.

Mr. Nix stated that the date of the offense was in January but the conviction was not until September. He needs this license for his job.

Ald. Stroik asked if he had read the requirements that include that an applicant cannot have an OWI conviction within the past one year.

Mr. Nix said that he did speak to an officer who told him that it was from the date of conviction but that there was a way for him to appeal.

Ald. Molski asked why there was such a long time between the incident and the conviction.

City Attorney Molepske noted that length of time is not unusual based on Court proceedings when a person pleads not guilty. He asked if Mr. Nix was administratively suspended.

Mr. Nix replied no.

Ald. Stroik asked if he had pleaded not guilty.

Mr. Nix said that he had initially plead not guilty and then reached a plea agreement.

City Attorney Molepske explained administrative suspension for drunk driving as well as the judicial proceedings when someone pleads not guilty.

Police Chief Morris said the reason the date of conviction is used in the ordinance is that it treats everyone equally as well as allows for due process.

Ald. Wiza stated that people are presumed innocent until proven guilty which is why the conditions are set on the conviction date.

Ald. Stroik moved, seconded by Ald. Trzebiatowski, to deny the license based on the requirements that include that an applicant cannot have an OWI conviction within the past one year. Ayes, all; nays, none. Motion carried.

C. Change of Agent:

1. Stevens Point American Legion (Post 6) Baseball Club, PO Box 322, City at Bukolt Park, Stevens Point, WI; John Suchon, 1920 Green Tree Drive, Plover, WI. (previously Loretta Barber)

2. Schierl Sales Corporation, 2201 Madison Street, City; April Lynn Marthaler, 2503 Helen Street, City at The Store #58, 5601 Carrie Frost, Stevens Point, WI. (previously Edward Storm)

Ald. Heart moved, seconded by Ald. Brooks, to approve the change of agent for the Stevens Point American Legion (Post 6) Baseball Club, PO Box 322, City at Bukolt Park, Stevens Point, WI; John Suchon, 1920 Green Tree Drive, Plover, WI. and Schierl Sales Corporation, 2201 Madison Street, City; April Lynn Marthaler, 2503 Helen Street, City at The Store #58, 5601 Carrie Frost, Stevens Point, WI. Ayes, all; nays, none. Motion carried.

D. Special Class "B" / "Class B" Retailer's License for St. Joseph's Parish, 1709 Wyatt Avenue, Stevens Point, WI on June 6, 7, 8, 2008.

Ald. Trzebiatowski moved, seconded by Ald. Brooks, to approve the Special Class "B" / "Class B" Retailer's License for St. Joseph's Parish, 1709 Wyatt Avenue, Stevens Point, WI on June 6, 7, 8, 2008. Ayes, all; nays, none. Motion carried.

E. Recommendation on 2008-2009 License Lists - Beer and Liquor.

Ald. Stroik reviewed the list of applicants and the types of licenses they were applying for.

Ald. Trzebiatowski asked if there is any law enforcement objection to those on the license list.

Police Chief Morris said that no he believes they have compliance from the vast majority. He said that he could get the list to them.

Ald. Stroik said that if he would provide that list to them before Council.

Ald. Stroik moved, seconded by Ald. Trzebiatowski, to approve the 2008-2009 License Lists with the exception of CenterPoint and Clark Place. Ayes, all; nays, none. Motion carried.

Ald. Stroik asked the City Attorney to suggest some options since the CenterPoint Mall has only used the license a few times and the other business is closed.

City Attorney said there is a "use it or lose it" ordinance in that if the business does not use their license for three consecutive months there is a presumption that you won't be using it. He noted that the Mall has not used the license in the past two years and Clark Place is in receivership for creditors. He suggested sending them a notice of non-renewal, not for the entire calendar year, but which would result in a 6 month license for each.

Ald. Trzebiatowski moved, seconded by Ald. Heart, to not re-new CenterPoint Marketplace and provide a six month conditional license to Clark Place. Ayes, all; nays, none. Motion carried.

2. Request for an Amusement Parlor Permit from Chad Fisher, 444 W River Drive, City; at Tech Lounge, LLC, 1036 Main Street, Stevens Point, WI.

Chad Fischer reviewed his proposal for a video gaming coffee shop.

Ald. Stroik moved, seconded by Ald. Trzebiatowski, to approve the Request for an Amusement Parlor Permit from Chad Fisher, 444 W River Drive, Stevens Point; at the Tech Lounge, LLC, 1036 Main Street, Stevens Point, with a sunset of December 31, 2009. Ayes, all; nays, none. Motion carried.

3. Request from the Association of Downtown Businesses to Close Main Street from Roger Street to Water Street from 8:00 a.m. to 2:00 p.m. on Wednesday, July 4, 2008 for the annual Fourth of July Parade.

Ald. Brooks moved, seconded by Ald. Trzebiatowski, to approve the Request from the Association of Downtown Businesses to Close Main Street from Roger Street to Water Street from 8:00 a.m. to 2:00 p.m. on Wednesday, July 4, 2008 for the annual Fourth of July Parade. Ayes, all; nays, none. Motion carried.

4. Request from the SPASH Wellness Committee to hold a Triathlon on Sunday, June 8, 2008.

The Police Department did not have a problem with the event.

Ald. Brooks moved, seconded by Ald. Stroik, to approve the Request from the SPASH Wellness Committee to hold a Triathlon on Sunday, June 8, 2008. Ayes, all; nays, none. Motion carried.

5. Request from the Special Olympics for No Parking and to Close a Portion of Reserve Street and a Portion of Illinois Avenue from 5:00 p.m. on Thursday, June 5, through noon on Saturday, June 7, 2008 for the Summer Games.

Ald. Heart moved, seconded by Ald. Trzebiatowski, to approve the Request from the Special Olympics for No Parking and to close a Portion of Reserve Street and a Portion of Illinois Avenue from 5:00 p.m. on Thursday, June 5, through noon on Saturday, June 7, 2008 for the Summer Games. Ayes, all; nays, none. Motion carried.

6. Recommendation of the Monthly Inspection Report:

A. Construction Starts.

B. Violations.

Ald. Stroik moved, seconded by Ald. Brooks to accept and place on file the Monthly Inspection Report. Ayes, all; nays, none. Motion carried

7. Adjourned at 6:50 p.m.

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