

Meeting Minutes

Public Protection Committee Minutes

Monday, March 8, 2004 - 6:00 P.M.

City Water Department - 300 Bliss Avenue Present: Chairman Phillips, Alderpersons Sevenich, Seiser, Sowieja, Stroik

Also Present: Mayor Wescott, Comptroller-Treasurer Schlice, City Attorney Molepske, Clerk Zdroik, Directors Euclide, Gardner, Halverson, Schrader; Alderpersons Markham, Barr, Rackow, Molski, Moore; Deputy Fire Chief Kujawa, Police Captain Dowling, Street Superintendent Krieski, Personnel Specialist Jakusz, Mayoral Assistant Gebert, Kate Garsombke (Journal), Gene Kemmeter (Portage County Gazette)

Index of these Minutes:

1. Recommendation on License list.

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

B. Rejections:

1. Valerie K. Beaver, 1233 Franklin Street, Apt. 7, Stevens Point, WI.

2. Serenity D. Moede, 1632 Tamarack Street, Plover, WI.

C. Application for Class "B" Beer License - Portage County Youth on Ice, Inc., 801 Badger Drive, Stevens Point, WI, Christine Seefeldt, agent, effective March 16, 2004.

D. Application for Class "C" Wine License - Jordan D. Kaiser, Mission Coffee House, 1319 Strongs Avenue, Stevens Point, WI, effective March 16, 2004. (Applicant already holds a Class "B" Beer License.)

E. Transfer of "Class B" Beer and Liquor License -

1. From Nature's Niche and Docking Point Lounge LLC, 5223 Hwy. 66, Stevens Point, WI, for Docking Point Lounge, 5110 Main Street, Stevens Point, WI, to Olympic Gardens Inc., 2430 Magnolia Drive, Plover, WI, for Olympic Gardens Family Restaurant, 5110 Main Street, Stevens Point, WI, effective April 1, 2004.

2. From Stevens Point Hospitality LP, 22706 Moonlit Lake Court, Katy, TX 77450, to Stevens Point Innkeepers Inc., 1501 North Point Drive, Stevens Point, WI, for Holiday Inn, 1501 North Point Drive, Stevens Point, WI, Joy E. Pennell, 4755 Hayes Avenue #41, Plover, WI 54467, agent, effective March 16, 2004.

F. Change of Agent - Sentry World/The Restaurant, 601 Michigan Avenue North and 1800 North Point Drive, Stevens Point, WI, from Kenneth E. Scheidt, to Gary A. Gluch, 581 Canterbury Drive, Plover, WI, effective March 16, 2004.

2. Trivia parade request - Friday, April 16, 2004, starting at 4:00 P.M.

3. Request to hold a community road race/fundraiser - Washington Elementary School, on Saturday, May 1, 2004, from 7:00 A.M. to 1:00 P.M.

4. Request permission to use Crosby Avenue on Saturday, March 20, 2004, starting at noon until 6:00 P.M. for the Day of Action peace rally.

5. Recommendation on the February 2004 Inspection Report.

6. Adjournment.

1. Recommendation on License list.

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

Ald. Sowieja moved, Ald. Seiser seconded, to approve the New Operator's (Bartender's) Licenses.

Ayes, all; nays, none. Motion carried.

B. Rejections:

1. Valerie K. Beaver, 1233 Franklin Street, Apt. 7, Stevens Point, WI, was present. She said her citation was from UW-SP Protective Services. She did not even think about it when she was filling out the operator (bartender's) license application. She said she is a good student and is a hard worker. She is asking that the Public Protection reconsider her license application.

Ald. Seiser asked Police Captain Dowling to clarify conviction versus misdemeanor.

Captain Dowling said it is a forfeiture written by the UW-SP Protective Services. Unlike the Police Department, it can issue a citation for possession of marijuana.

Ms. Beaver said she was told it is the same level as a traffic violation.

Ald.. Seiser's concern is that it did not seem very serious. In terms of the guidelines, she said it happened 22 months ago, long enough that it does not fall under the guidelines.

Ald.. Stroik asked how the Police Department found this out?

Captain Dowling said the University citations do go through the Portage County court system. There is a joint court system which includes the Police Department, Plover, Sheriff's Department and the University and that is how the Police Department found out.

Ald.. Sevenich asked if Ms. Beaver was contacted.

Captain Dowling said yes, by one of the Police Officers. When contacted by the Police Officer on February 24, 2004, Ms. Beaver said she did not think it counted because it was not a criminal offense.

Ald.. Sevenich moved, Chairman Phillips seconded, to deny the Operator's (Bartender's) License application of Valerie K. Beaver.

Ald.. Markham asked if the Police Department would have found it, would it have been a conviction?

Captain Dowling said if the Police Department would have found it, it would have been a criminal arrest.

Ald.. Barr asked if the University standards are the same as the Police Department?

Captain Dowling said it goes through the court system and eventually becomes a conviction. Possession of marijuana is possession of marijuana. The difference is the discretion of the Police Officer whether to issue a citation rather than a criminal arrest.

Ald.. Seiser asked if the rejection is the recommendation of the Police Department?

Captain Dowling stated the Police Department does not make a recommendation. The Police Department applies the guidelines that the Public

Protection Committee and Council established regarding operator (bartender's) license application.

Ayes: Chairman Phillips, Ald.. Sevenich, Stroik.

Nays: Ald.. Seiser, Sowieja.

Motion carried.

2. Serenity D. Moede, 1632 Tamarack Street, Plover, WI, was notified of the meeting but did not appear.

Ald.. Sevenich moved, Ald.. Stroik seconded, to deny the Operator's (Bartender's) License application of Serenity D. Moede.

Ayes, all, nays, none. Motion carried.

C. Application for Class "B" Beer License - Portage County Youth on Ice, Inc., 801 Badger Drive, Stevens Point, WI , Christine Seefeldt, agent, effective March 16, 2004.

Mike Wimme, 2411 Shadowview Circle, Plover, is the Treasurer of the Portage County Youth on Ice, Inc., and is here to answer any questions.

Ald.. Seiser asked Mr. Wimme why the Portage County Youth on Ice wants to serve alcohol at the facility? She further asked that Mr. Wimme explain what the Portage County Youth on Ice is all about.

Mr. Wimme explained that the Portage County Youth on Ice is a non-profit organization that supplies youth hockey facility for youth in Portage County. The organization has 250 kids in the program. The request to be able to serve beer in the facility is not for youth hockey but rather for trade shows and conventions scheduled in the facility. It is also intended to be able to serve beer for the players in the adult leagues that play in the evening.

Ald.. Sevenich asked if this group has come before the Public Protection Committee earlier?

Chairman Phillips said no.

Ald.. Sowieja moved, Ald.. Sevenich seconded, for approval of the application for a Class "B" Beer License for Portage County Youth on Ice, Inc., at 801 Badger Drive, Stevens Point, WI, Christine Seefeldt, agent, effective March 16, 2004.

Teresa Timerman, 4009 Jay Court, Stevens Point, informed the Committee that she is a resident of Stevens Point, a contributor to the youth sports complex at Badger Drive and her children will benefit from the youth sports complex. She said she is in opposition to the issuance of a beer license to the organization. Ms. Timerman does not think there is a need for another place to drink beer, especially in a youth complex. She feels it sends a mixed message to youth. She added that adults should be a better model for youth when it comes to alcohol consumption. She went on to say that the Public Protection Committee should read the Report of the Task Force on Alcohol and Other Drugs in Portage County before making a decision on this issue. She believes the youth sports complex should remain youth focused and that there should be no signs of alcohol in the premises at all times. She asked the Committee to utilize this opportunity to set a policy that can be positive in influencing the youth of this community.

Deb Knippel, 611 Soo Marie Avenue, said she is a resident of this community and has worked with youth development in Portage County area for over 20 years. She is currently a prevention specialist at Ministry Behavioral Health for alcohol and other drug abuse issues. She is involved in many coalitions and task groups in the community that have addressed these issues. She said alcohol use and abuse is one of the top issues of various needs assessments. She encourages the Committee to deny the request for a Class "B" Beer license for Portage County Youth on Ice as there are plenty of places where people can get alcohol. She asked that the Council look at reducing the venues where alcohol is sold where children are present and to change the social attitude regarding the use of this product.

Copies of the Report of the Task Force on Alcohol and Other Drugs in Portage County were provided to the Council members after the Public Protection Committee meeting.

Anne Hoffman, 1745 Church Street, Stevens Point, is the service program director for Student Health Promotion at UW-SP. She also provides alcohol education, prevention and intervention for UW-SP students and is involved with a number of community coalitions that work to reduce alcohol and other drug use among local youth. She works most closely with college students. She offered the following statistics: 85% of the college students drink in a high risk way and they got their first drink at age 15 which was not at their parent's home. She said the UW system students are in the 77 percentile for alcohol consumption which means our students drink 77 % more alcohol than college students nationwide. Some 68% of 12 graders in Wisconsin reported drinking in the last 30 days compared to 50% of 12 graders nationally. Some 48% of Wisconsin 12 graders report high risk drinking or binge drinking compared to 32% of 12 graders nationwide. Results of a recent readiness study among Portage County residents indicated that most of the residents do not think we have a problem. She feels contributing factors are widespread alcohol advertising, tolerance of regular and frequent use, the availability of alcohol and belief of having alcohol at an event and how necessary it is. She noted that even if alcohol sales are restricted to adults or adult oriented events, families will still be in attendance. She is disappointed and discouraged in the inability of various leaders in our community to see the potential without alcohol. She feels people can recreate and socialize without having to have alcohol available. She is asking the Committee to deny the request of Portage County Youth on Ice to sell beer and allow the community to have a sports complex for the family and youth to recreate which is free from alcohol beverages.

Chairman Phillips asked Parks Director Schrader if alcohol is allowed in any sporting events in the City?

Director Schrader said it is allowed at Goerke Park with the Council's approval.

Ald.. Rackow asked that the copy of the report be made available to Council members for next Monday's meeting.

Ald.. Stroik asked if this group can apply for a one day temporary retailer's license ?

Chairman Phillips said that is an option if the request is denied.

Jaime Klasinski, 5427 Oakwood Avenue, Stevens Point, President, Portage County Youth on Ice, said the organization is not advocating the sale of beer during youth games. He said in order to make the sports affordable to most people, the organization subsidizes what it costs a kid to play hockey and ice time. He said 2/3 of the cost is subsidized by fund raisers. He said if the organization can raise money at the home show, he does

not see anything wrong with it. If the City would like to limit the hours, they do not have a problem with that either. They would rather not go with the 1-day license if they can help it.

Ald.. Sowieja asked if this request was reviewed by the organization's Board of Directors for approval?

Mr. Klasinski said yes.

Ald.. Sowieja went on to say that if this request is denied, the City has to look into other venues where beer is being sold like Zenoff Park. He does not think this request before the City now is any different than those places.

Ald.. Seiser asked if alcohol is sold at Zenoff Park?

Chairman Phillips said yes.

Chris Seefeldt, Portage County Youth on Ice, 801 Badger Avenue, said she works in Plover in the concession stand. The only time they cannot have alcohol available is when there are school functions sanctioned by WIAA, otherwise they serve alcohol at adult and youth games.

Ayes: Ald.. Sevenich, Sowieja.

Nays: Chairman Phillips, Ald.. Seiser, Stroik.

Motion failed.

D. Application for Class "C" Wine License - Jordan D. Kaiser, Mission Coffee House, 1319 Strongs Avenue, Stevens Point, WI, effective March 16, 2004. (Applicant already holds a Class "B" Beer License.)

Captain Dowling said Mr. Kaiser already holds a Class "B" Beer license. He is applying for a Class "C" Wine license. Upon doing a background check, the Police Department found that Mr. Kaiser had an arrest for possession of drug paraphernalia last summer.

Ald.. Sevenich moved, Chairman Phillips seconded, to deny the application for a Class "C" Wine License for Jordan D. Kaiser at Mission Coffee House, 1319 Strongs Avenue, Stevens Point, WI.

Ald.. Seiser asked if there was an indication that he was in possession of drugs and if it was a forfeiture.

Captain Dowling said just drug paraphernalia and it was a forfeiture.

Ald.. Stroik noted that the Committee is recommending denial of the application for Class "C" Wine license but he will be allowed to continue to sell beer.

Clerk Zdroik said the 2004-2005 renewal applications for alcohol licenses will be mailed sometime this month. Mr. Kaiser's application will be processed and a background check will be done by the Police Department. If the Police Department finds that there is an alcohol/drug related infraction, it will be recommended denial based on the guidelines set by the Public Protection and Council. She reminded the Committee that Mr. Kaiser's 2003-2004 license was issued on July 1, 2003, and his conviction happened on July 23, 2003, way after the license was issued.

Ald.. Rackow noted that based on the rejection letter, he had more infractions, not just the possession. He feels that adds a little weight in denying his application for a Class "C" wine license.

Ayes: Chairman Phillips, Ald.. Sevenich, Sowieja, Stroik.

Nays: Ald.. Seiser.

Motion carried.

E. Transfer of "Class B" Beer and Liquor License -

1. From Nature's Niche and Docking Point Lounge LLC, 5223 Hwy. 66, Stevens Point, WI, for Docking Point Lounge, 5110 Main Street, Stevens Point, WI, to Olympic Gardens Inc., 2430 Magnolia Drive, Plover, WI, for Olympic Gardens Family Restaurant, 5110 Main Street, Stevens Point, WI, effective April 1, 2004.

Ald.. Seiser moved, Ald.. Stroik seconded, to approve the transfer of the "Class B" Beer and Liquor License from Nature's Niche and Docking Point Lounge LLC to Olympic Gardens Inc., as outlined above.

Ayes, all; nays, none. Motion carried.

2. From Stevens Point Hospitality LP, 22706 Moonlit Lake Court, Katy, TX 77450 to Stevens Point Innkeepers Inc., 1501 North Point Drive, Stevens Point, WI, for Holiday Inn, 1501 North Point Drive, Stevens Point, WI, Joy E. Pennell, 4755 Hayes Avenue #41, Plover, WI 54467, agent, effective March 16, 2004.

Ald.. Seiser moved, Ald.. Sowieja seconded, to approve the transfer of the "Class B" Beer and Liquor License from Stevens Point Hospitality LLC to Stevens Point Innkeepers Inc., as outlined above.

Ayes, all; nays, none. Motion carried.

F. Change of Agent - Sentry World/The Restaurant, 601 Michigan Avenue North and 1800 North Point Drive, Stevens Point, WI, from Kenneth E. Scheidt, to Gary A. Gluch, 581 Canterbury Drive, Plover, WI, effective March 16, 2004.

Ald.. Stroik moved, Ald.. Seiser seconded, for approval of the Change of Agent for Sentry World/The Restaurant, 601 Michigan Avenue North and 1800 North Point Drive, Stevens Point, WI, from Kenneth E. Scheidt to Gary A. Gluch, effective March 16, 2004.

Ayes, all; nays, none. Motion carried.

2. Trivia parade request - Friday, April 16, 2004, starting at 4:00 P.M.

Captain Dowling said this has been done for many years so we can do it again.

Ald.. Stroik moved, Ald.. Sevenich seconded, to approve the Trivia Parade request, on Friday, April 16, 2004, starting at 4:00 P.M.

Ayes, all; nays, none. Motion carried.

3. Request to hold a community road race/fundraiser - Washington Elementary School, on Saturday, May 1, 2004, from 7:00 A.M. to 1:00 P.M.

Mark Valentine, Washington Elementary School, said he is here to answer any questions. This is a community road race/fund raiser to aid the school's Community Playground Improvement project.

Captain Dowling said Mr. Valentine is in contact with Police Lieutenant Eggleston. They have reached an agreement as far as the route. The Captain reminded Mr. Valentine that they need volunteers to man the busy intersections so that the participants may cross safely. The Police Department will provide the necessary vests for the volunteers.

Ald.. Sevenich moved, Ald.. Sowieja seconded, for approval of the request to hold a community road race/fundraiser from Washington Elementary School, to be held on Saturday, May 1, 2004, from 7:00 A.M. to 1:00 P.M.

Mr. Valentine made a minor correction on one of the maps. It should be 5-Kilometer Route instead of 5-Mile Route.

Ayes, all; nays, none. Motion carried.

4. Request permission to use Crosby Avenue on Saturday, March 20, 2004, starting at noon until 6:00 P.M., for the Day of Action peace rally.

Dan Pearson, 2425 Patch Street, Stevens Point, one of the event organizers provided the Committee with a map showing the new route and made a change on the starting time from 12:00 noon until 6:00 P.M. to 10:00 A.M. until 3:00 P.M. He said he has spoken to Lieutenant Eggleston of the Police Department. They have more than enough volunteers for the march and would like the use of the Police Department's vests for the event. He went on to say that they have a clean-up crew that will clean the area after the event. They plan on crossing Highway 10 from 12:00 noon to 1:00 P.M. starting at Crosby Avenue and proceeding to CenterPoint Drive. He said that there will school buses and they will be parking on the north side of Crosby Avenue. The event is expected to draw 1000 people from other parts of Wisconsin. He feels this event will benefit the local businesses.

Captain Dowling stated that the Police Department will support and assist with the event. It is up to the City Council to determine what is appropriate for marshaling area. He said in one of the discussions, it was mentioned they might use Parking Lot #2 on the northwest corner of Crosby Avenue and Water Street.

The Captain also was concerned on the issue of restrooms, if restrooms will be provided.

Mr. Pearson said there is a clean-up crew and porta potties will be provided.

Chairman Phillips reminded Mr. Pearson that the participants of the march must use the sidewalk and further asked if Crosby Avenue will be closed.

Mr. Pearson said Crosby Avenue will be closed and that Street Superintendent Krieski allowed the use of City barricades for the event.

Superintendent Krieski hopes there will be no snow storm for that day because streets have to be plowed.

Ald.. Stroik agrees that it is their right to protest. He wonders what signs can they carry so it does not get out of hand.

Mr. Pearson said there will definitely be no profanities. There was a similar march in Wausau last year and it went very well.

Ald.. Sevenich urged the participants to use the pedestrian walk while crossing Crosby Avenue.

Mark Valentine, 124 Minnesota Avenue, said he was in attendance of the last year's event in Wausau. It was well organized and informational.

Ald.. Moore voiced his concern on closing Highway 10.

Mr. Pearson said he will again talk to the Police Department about the issue of closing Highway 10.

Marv Hafenbreadl asked with 1000 people crossing, how long will Highway 10 be closed?

Captain Dowling said they do it for the Riverfront Rendezvous and they usually can clear the area in 20 minutes. He said they could either break the group down or canoe the people in groups. The Captain also advised Mr. Pearson to call Lieutenant Eggleston tomorrow (March 9), after 10:00 A.M.

Ald.. Seiser moved, Ald.. Sevenich seconded, to approve the request to use Crosby Avenue on Saturday, March 20, 2004, starting at 10:00 A.M. until 3:00 P.M., for the Day of Action peace rally.

Ayes, all; nays, none. Motion carried.

5. Recommendation on the February 2004 Inspection Report.

Ald.. Stroik moved, Chairman Phillips seconded, for approval of the February 2004 Inspection Report and to place it on file.

Ayes, all; nays, none. Motion carried.

6. Adjournment - 6:45 P.M.

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