

Meeting Minutes

PUBLIC PROTECTION COMMITTEE

Monday, September 8, 2003 - 6:00 P. M.

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

Also Present: Mayor Wescott, City Attorney Molepske, Clerk Zdroik, Directors Disher,

Euclide, Gardner, Schrader; City Surveyor Hild, Design Engineer Yauch, Alderpersons Walther, Markham, Barr, Rackow, Molski, Moore; Fire Chief Barnes, Police Captain Daubert, Fleet Maintenance Supervisor Laidlaw, Mayoral Assistant Gebert, Kate Garsombke (Journal), Gene Kemmeter (Portage County Gazette)

Index of these Minutes:

1. Recommendation on License list.

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

B. Recommended Rejections -

(1) Jonathan G. Powell, 231 11th Street South, Wisconsin Rapids, WI 54494

(2) Terry A. French, 325 Walker Street, Stevens Point, WI 54481

C. Change of Agent, Hawthorn Inn & Suites, 1101 Amber Avenue, Stevens Point, WI, from Taunya Lynn Krajnik to Kay Kecki, 5401 Walter Street, Stevens Point, WI, effective September 16, 2003.

D. Application for Class "A"/"Class A" Beer/Intoxicating Liquor License - Cooper Oil Co., Inc., 1908 Pine Street, Stevens Point, WI, at Amoco BP, 4928 Main Street, Stevens Point, WI, Celeste J. Nasgovitz, agent, effective September 16, 2003.

E. Application for Class "A"/"Class A" Beer/Intoxicating Liquor License - Deborah M. Krebs, 1927 Division Street, for Heaven in a Handbasket, 1217 Water Street, Stevens Point, WI, effective September 16, 2003.

F. Transfer of "Class B" Beer and Liquor license, from Graffiti's of Stevens Point Inc., 835 Main Street, Stevens Point, WI, to Joseph John Raffin, 602 Depot Street, Manawa, WI 54949, for The Pharm, 835 Main Street, Stevens Point, WI, effective October 1, 2003.

2. Request permission to hold homecoming parade:

A. SPASH - Friday, October 10, 2003, starting at 11:30 A.M.

3. Request of Association of Downtown Businesses to close Main Street from Strongs Avenue to Second Street to celebrate Harvest/End of Construction on Saturday, October 25, 2003, from 10:00 A.M. to 5:00 P.M.

4. Request to install street lights:

A. Intersections of Glacier Drive, Nicolet Avenue, and Heffron Street.

5. Halloween date and time.

6. Recommendation on Inspection Report.

7. Adjournment.

1. Recommendation on License list.

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

Ald. Sowieja moved, Ald. Seiser seconded, to approve the New and Renewal Operator's (Bartender's) license list.

Ayes, all; nays, none. Motion carried.

B. Recommended rejection:

Jonathan G. Powell - 231 11th Street South, Wisconsin Rapids, WI, was notified of the meeting but did not appear on time to appeal the recommendation.

Ald. Seiser moved, Ald. Sevenich seconded, to deny the Operator's (Bartender's) license application of Jonathan G. Powell, for failing to list a July 23, 2003, conviction of selling alcohol to an underage person.

Police Captain McCulley said the Police Department's recommendation to deny Mr. Powell's Operator's (Bartender's) license application is not just for failing to list, it is related to the failing to list and that the conviction is very recent.

Ayes, all; nays, none. Motion carried.

Terry A. French, 325 Walker Street, Stevens Point, WI, was present.

Ald. Seiser noted that the last conviction happened in 1999, approximately 4 years and 5 months ago. The guidelines state that applicant may not have a felony conviction within the last 5 years or be a habitual law offender where the offenses relate to alcohol beverage licensing activity. In determining habitual law offender status, the background check may go back 15 years. The Alderperson questioned whether the subject cannot come back and apply for another ten years?

Captain McCulley said she would not say that he cannot come back until after ten years but it is a felony offense within five years. The Captain also said that she was in contact with the Probation Officer as late as this afternoon and that the Probation Officer informed the Captain that Mr. French is not to be where alcohol is served and is not supposed to be bartending. The Probation Officer tried to contact the boss of the establishment where Mr. French works but did not get a response. From the Probation Officer's position, she feels this is not appropriate.

Ald. Sevenich moved, Ald. Stroik seconded, to deny Mr. French's application for an Operator's (Bartender's) license, based on the circumstances of his probation.

Mr. French said he works during the day and does not work past 5 o'clock in the afternoon. He added that he needs the license to be able to do his job. He went on to say that the Probation Officer knew that he was applying for the license and he informed the Probation Officer that he did not want to spend the \$30 license application fee because he was going to be denied anyway but was told that he should.

Captain McCulley said initially the Probation Officer thought that he was applying for a Manager's license but the application shows that Mr. French is applying for an Operator's (Bartender's) license. The guidelines used for background check for both licenses are the same, the Captain added.

Ald. Seiser noted Mr. French needs some guidelines as to when he can come back and apply again without throwing away his \$30.00.

Captain McCulley said if Probation and Parole does not have any more requirements and if these requirements are lifted or amended and is past the five-year period, she does not see a problem.

Mr. French said he feels some of the requirements have been lifted already because the Probation Officer knew that he is working there.

Ayes, all; nays, none. Motion carried.

C. Change of Agent, Hawthorn Inn & Suites, 1101 Amber Avenue, Stevens Point, WI, from Taunya Lynn Krajnik to Kay Kecki, 5401 Walter Street, Stevens Point, WI, effective September 16, 2003.

Ald. Sowieja moved, Ald. Seiser seconded, for approval of the Change of Agent for Hawthorn Inn & Suites, 1101 Amber Avenue, Stevens Point, WI, from Taunya Lynn Krajnik to Kay Kecki, 5401 Walter Street, Stevens Point, WI, effective September 16, 2003.

Ayes, all; nays, none. Motion carried.

D. Application for Class "A"/"Class A" Beer/Intoxicating Liquor License - Cooper Oil Co., Inc., 1908 Pine Street, Stevens Point, WI, at Cooper's 10-39 BP, 4928 Main Street, Stevens Point, WI, Celeste J. Nasgovitz, agent, effective September 16, 2003.

Ald. Sevenich moved, Chairman Phillips seconded, to approve the Application for Class "A"/"Class A" Beer/Intoxicating Liquor License application for the Cooper Oil Co., Inc., at Cooper's 10-39 BP, 4928 Main Street, Stevens Point, WI, Celeste J. Nasgovitz, agent, effective September 16, 2003.

Ayes, all; nays, none. Motion carried.

E. Application for Class "A"/"Class A" Beer/Intoxicating Liquor License - Deborah M. Krebs, 1927 Division Street, for Heaven in a Handbasket, 1217 Water Street, Stevens Point, WI, effective September 16, 2003.

Ald. Seiser moved, Ald. Sevenich seconded, for approval of the Class "A"/"Class A" Beer/Intoxicating Liquor License application for Deborah M. Krebs, 1927 Division Street, for Heaven in a Handbasket, 1217 Water Street, Stevens Point, WI, effective September 16, 2003.

Ayes, all; nays, none. Motion carried.

F. Transfer of "Class B" Beer and Liquor license, from Graffiti's of Stevens Point Inc., 835 Main Street, Stevens Point, WI, to Joseph John Raffin, 602 Depot Street, Manawa, WI 54949, for The Pharm, 835 Main Street, Stevens Point, WI, effective October 1, 2003.

Ald. Sevenich moved, Ald. Stroik seconded, to approve the transfer of the "Class B" Beer and Liquor license application from Graffiti's of Stevens Point, Inc., 835 Main Street, Stevens Point, WI, to Joseph John Raffin, for The Pharm at 835 Main Street, Stevens Point, WI, effective October 1, 2003.

Ayes, all; nays, none. Motion carried.

2. Request permission to hold homecoming parade.
A. SPASH - Friday, October 10, 2003, starting at 11:00 A.M.

Ald. Sowieja moved, Ald. Stroik seconded, for approval of SPASH request to hold a homecoming parade on Friday, October 10, 2003, starting at 11:00 A.M.

Ayes, all; nays, none. Motion carried.

3. Request of Association of Downtown Businesses to close Main Street from Strongs Avenue to Second Street to celebrate Harvest/End of Construction on Saturday, October 25, 2003, from 10:00 A.M. to 5:00 P.M.

Ald. Sevenich moved, Ald. Seiser seconded, to approve the request to close Main Street from Strongs Avenue to Second Street to celebrate Harvest/End of Construction on Saturday, October 25, 2003, from 10:00 A.M. to 5:00 P.M.

Ayes, all; nays, none. Motion carried.

4. Request to install street lights:
A. Intersections of Glacier Drive, Nicolet Avenue, and Heffron Street.

Ald. Barr, the alderman for the area where street lights are being requested, said that he is in favor of the original request.

Ald. Seiser said she would like to see the City try to do conservation measures so we can keep the lighting cost stable and not to spend more. She feels there are some places that have too much lighting and she does not think that the City can afford to light all our urban intersections that are adjacent to subdivisions. This request might be necessary and should be evaluated. She feels the new Director of Public Works and WPS should be involved in the planning or the City should adopt an ordinance so the City can do more things in a more organized fashion.

Captain McCulley said the Police Department took a look at it and decided that the City needs more lights in those intersections.

Ald. Sowieja voiced his concern about this request. He questioned whether there are some guidelines that Public Works consider on how close lighting is on streets?

John Yauch, City Design Engineer, said the request was for three lights on the west side for the bike path. There are two lights on the intersection now and the requestor does not feel they are effective for both sides of the street. The lights on Highways 10 and 66 are lighting systems and this request is for intersection lights.

Ald. Sowieja said he had a constituent in his district who was requesting street lights but the Engineering Department felt it was too close to an existing light. He felt his constituent's request is a lot farther away from an existing light than this request. After physically checking the lights on this request, he said he did not feel that it was badly lit since there are lights on the other corner.

Ald. Barr said if the Police Department thinks the request is a good idea, the City can either light it or not develop it.

Ald. Markham voiced her concern on how requests like this can be controlled. She feels the City needs more concrete Engineering standards like traffic count, pedestrian count, wattage, foot candles, etc. so the City can give everybody a fair shake.

Ald. Rackow added that this request is also to light the bike path and it may be part of the Green Circle.

Chairman Phillips said this is not a part of the Green Circle.

Captain McCulley said this is often used by pedestrians and bikers.

Ald. Sevenich moved, Chairman Phillips seconded, to approve the original request of 3 lights on the west side of the street on wood poles owned by WPS at a yearly operation at MS-1 rate of \$501.48, plus installation.

Ayes: Chairman Phillips, Ald. Sevenich, Stroik.

Nays: Ald. Seiser, Sowieja, Motion carried.

5. Halloween date and time.

Clerk Zdroik explained that when Halloween falls on a weekday, it is recommended that Halloween trick or treating be observed on the Sunday closest to and before Halloween. It is therefore recommended that Halloween be observed on Sunday, October 26, 2003, from 3:00 P.M. to 6:00 P.M.

The Halloween date and time in Stevens Point will be coordinated with the neighboring municipalities so that we may all observe Halloween at the same date and time.

Ald. Seiser moved, Ald. Stroik seconded, to set the Halloween trick or treating for Sunday, October 26, 2003, from 3:00 P.M. to 6:00 P.M.

Ayes, all; nays, none. Motion carried.

6. Recommendation on Inspection Report.

Ald. Sevenich moved, Ald. Sowieja seconded, to accept the August Inspection Report and place it on file.

Ayes, all; nays, none. Motion carried.

7. Adjournment - 6:30 P.M.

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