

Meeting Minutes

PUBLIC PROTECTION COMMITTEE MEETING

Monday, July 8, 2002 - 6:00 P. M.

City Water Department - 300 Bliss Avenue

Present: Chairman Phillips, Alderpersons Sevenich, Seiser, Moore

Excused: Ald. Filipiak

Also Present: Mayor Wescott, Comptroller-Treasurer Schlice, Clerk Zdroik, Directors Disher, Gardner, Schrader, Van Alstine; Alderpersons Sowieja, Barr, Rackow, Nealis; Police Captain Dowling, Mayoral Assistant Molepske, Barbara Martin (Journal), Gene Kemmeter (Portage County Gazette)

Index of these Minutes:

1. Recommendation on License list:

A. Operator's (Bartender's) License.

B. Renewal Operator's License.

C. Special Temporary Class "B"/"Class B" - Retailers License:

(1) St. Stanislaus Holy Name Society, at Bukolt Park Lodge, on Tuesday, August 13, 2002.

(2) Portage County Democratic Party, at Pfiffner Park, on Sunday, August 25, 2002.

D. Transfer of "Class B" Beer and Liquor License, Shannon Rae Myers, 237 Union Street, Stevens Point, WI, for Jo Jo's Lounge, 5110 Main Street, Stevens Point, WI, effective 07-16-02, previously owned by Diane Aldrich.

E. Recommended rejections:

(1) Sara J. Schillinger

(2) Marty Joseph Slowinski

2. Request permission to keep baby chicks for not more than four weeks - 1632 Wyatt Avenue.

3. Request permission to hold homecoming parades:

A. Pacelli High School - Friday, October 4, 2002, starting at 5:30 P.M.

B. UW-SP - Saturday, October 5, 2002, starting at 10:00 A.M.

4. Request for a one-day extension for liquor license premises:

A. Hilltop Pub & Grill Restaurant - Monday, August 5, 2002, 19th Anniversary Celebration.

B. Partner's Pub - Saturday, October 5, 2002, UW-SP Homecoming.

5. Recommendation on Inspection Report.

6. Adjournment.

1. Recommendation on License list.

A. Operator's (Bartender's) License.

B. Renewal Operator's License.

C. Special Temporary Class AB"/"Class B" - Retailers License:

(1) St. Stanislaus Holy Name Society, at Bukolt Park Lodge, on Tuesday, August 13, 2002.

(2) Portage County Democratic Party Picnic, at Pfiffner Park, on Sunday, August 25, 2002.

D. Transfer of "Class B" Beer and Liquor License, Shannon Rae Myers, 237 Union Street, Stevens Point, WI, for Jo Jo's Lounge, 5110 Main Street, Stevens Point, WI, effective 07-16-02, previously owned by Diane Aldrich.

Ald. Seiser moved, Ald. Moore seconded, for approval of the new Operator's/Bartender's (provisional) license, Renewal Operator's/Bartender's license to include the Manager's license.

Ayes, all; nays, none. Motion carried.

Ald. Seiser moved, Ald. Moore seconded, to approve the Special Temporary Class AB"/"Class B"- Retailers licenses for St. Stanislaus Holy Name Society on Tuesday, August 13, 2002, and the Portage County Democratic Party Picnic on Sunday, August 25, 2002.

Ayes, all; nays, none. Motion carried.

Ald. Sevenich moved, Ald. Seiser seconded, to approve the transfer of the "Class B" Beer and Liquor license for Shannon Rae Myers, Jo Jo's Lounge, effective 07-16-02.

Ayes, all; nays, none. Motion carried.

E. Recommended rejections:

(1) Sara J. Schillinger

(2) Marty Joseph Slowinski

Sara Schillinger was not able to attend the meeting. Brooke Heimerl spoke on her behalf. Ms. Heimerl said that she is Ms. Schillinger's supervisor and Ms. Schillinger has worked for her since June 26, 2000. Ms. Heimerl read a letter from Ms. Schillinger explaining the circumstances of her citation. A copy of the letter is attached.

Ald. Seiser moved, to grant Sara J. Schillinger an operator's/bartender's license.

Ald. Moore asked for some clarification from the Police Department on Ms. Schillinger's citation.

Police Captain Dowling said the citation was issued some place in Wood County on May 28, 2000. He added that if this citation was listed she would have been approved. The reason for the recommended rejection is that she did not list the citation which is one of the requirements of the Public Protection Committee.

Chairman Phillips asked if Ms. Schillinger paid a fine?

Ms. Heimerl said Ms. Schillinger was not fined but instead took a class to get rid of the ticket.

Chairman Phillips asked Captain Dowling if it is possible to get a ticket and not pay the fine?

Captain Dowling said he has never heard of it. In this County he is not aware of anything that would allow that to happen. In other Counties, it depends on the procedures followed by the judges in a particular County.

Ald. Sevenich asked how long does it stay on the record?

Captain Dowling stated it is in DOT files and he is not sure how long they stay. He believes it is probably three years but he cannot state with certainty that it is. It stays on the record with the agency that listed it.

Motion died due to a lack of second.

Ald. Sevenich moved, Ald. Moore seconded, to deny the operator's/bartender's license application of Sara J. Schillinger and that she reapply in six months.

Ald. Molski questioned why an applicant who forgot to put something on the application and denied by the Committee has to wait for six months to reapply? Why can't that person apply the following month?

Ald. Sevenich said in this case she made the waiting period for reapplication part of her motion which is six months.

Reid Rocheleau, Village of Whiting resident, suggested simplifying the form to avoid the problem.

City Attorney Molepske stated the form is so simple even an 8th grader can fill it out. If a person does not know what he/she is being convicted of, then there is a problem.

Ald. Seiser noted that at the last Common Council meeting, she said it was quite clear that there have to be some changes made to the form and that we should stop asking these questions. Instead we should just say the Police Department will be checking your record and the results will be publicly disclosed. She feels uncomfortable catching people in a lie. She added that her comments have not been shown in the minutes so it has to go on people's memory of her asking that. The present form does not reflect the comments I made publicly at the last Common Council meeting, the Alderperson said.

Ald. Moore asked to withdraw his second.

Ald. Sevenich withdrew her motion.

Clerk Zdroik informed the Committee members that the guidelines also deter some people from applying after reading the guidelines knowing that they will not meet the criteria set by the Public Protection Committee.

Ald. Rackow stated the six-month time limit was to give people time-off from getting an application and not coming every month or second month which is a breathing space until the person can apply again. The Alderman thinks it is a policy of the Public Protection Committee.

Chairman Phillips said the guidelines have been changed since then.

Ald. Sevenich moved, Ald. Phillips seconded, to deny the operator's/bartender's license application for Sara J. Schillinger and that she reapply in six months.

Ayes: Chairman Phillips, Ald. Sevenich.

Nays: Ald. Seiser, Moore.

Tie vote. Motion failed.

Martin J. Slowinski was not able to attend the meeting. Clerk Zdroik read the letter from Mr. Slowinski appealing his rejection. A copy of that letter is attached.

Ald. Seiser stated this is another one of those people who neglected to list his conviction and would have been approved if the convictions were listed. She feels his response is appropriate and he has apologized for it.

Ald. Seiser moved, Ald. Phillips seconded, for approval of Martin Slowinski's operator's/bartender's license application.

Ald. Nealis said he takes exception to Ald. Seiser's comment that we are trying to catch somebody on a lie. We are not, we are just asking a question to get the person's background, the Alderman said. He feels it is insulting to the City. It is not the purpose of this Council or the members of the Public Protection Committee, he added.

Ald. Sevenich noted that we try to be fair to everybody. We have overturned some rejections. In Mr. Slowinski's case, the Alderperson wonders if he listed it last year, how come he did not list it this year. The rules have not changed.

Mr. Rocheleau is wondering what the Public Protection Committee is trying to accomplish.

Captain Dowling said this form has been approved by the City Attorney and the Public Protection Committee and they have done that for a reason. The causes of rejection of a license are spelled out by statute and these are all relevant to those questions to the purpose for which a person can be rejected. The Captain added that after getting a copy of the letter from Mr. Slowinski, he pulled Mr. Slowinski's application from last year. The application did not list those convictions, yet he was approved. He does not have an explanation for that, the Captain said.

Ald. Seiser said she is frustrated with the situation. She is questioning why we are asking those questions. She said she has a lot of faith in the Police Department who does an excellent job. She does not mean any disrespect for any of the other members of the Committee. The Alderperson thinks we as a City should stand behind the information that the Police Department finds and follow the guidelines we have developed so we are not caught in the position of having to have everyone explain it. She finds the comments made by Ms. Heimerl on behalf of Ms. Schillinger and comments made by Mr. Slowinski are credible. She added that it is possible to forget and they made an error and is not a purposeful action.

Ayes: Chairman Phillips, Ald. Seiser.

Nays: Ald. Sevenich, Moore.

Tie vote. Motion failed.

2. Request permission to keep baby chicks for not more than four weeks - 1632 Wyatt Avenue.

Gene Tubbs, the requestor, stated he found out that a permit is needed to keep farm animals in the City after reading a newspaper article relating to permission granted to a property owner in the City who has homing racing pigeons. He explained the baby chicks are about the size of an egg and they need a lot of care and careful environmental control for the first two to four weeks. He checked with his neighbors and nobody sees any problem in keeping the baby chicks on his property. Mr. Tubbs said he wants to do it right by getting the City's approval.

Chairman Phillips asked if this is an annual occurrence?

Mr. Tubbs said probably, could be once a year or every other year.

Ald. Sevenich moved, Ald. Moore seconded, to grant the request to keep baby chicks for not more than four weeks at 1632 Wyatt Avenue.

Ayes, all; nays, none. Motion carried.

3. Request permission to hold homecoming parades:

A. Pacelli High School - Friday, October 4, 2002, starting at 5:30 P.M.

B. UW-SP - Saturday, October 5, 2002, starting at 10:00 A.M.

Ald. Sevenich moved, Ald. Seiser seconded, to approve the request to hold homecoming parades for Pacelli High School on Friday, October 4, 2002, and UW-SP on Saturday, October 5, 2002.

Ayes, all; nays, none. Motion carried.

4. Request for a one-day extension for liquor premises:

A. Hilltop Pub & Grill Restaurant - Monday, August 5, 2002, 19th Anniversary Celebration.

B. Partner's Pub - Saturday, October 5, 2002, UW-SP Homecoming.

Ald. Moore moved, Ald. Sevenich seconded, for approval of the one-day extension for liquor premises for Hilltop Pub & Grill Restaurant on Monday, August 5, 2002, and Partner's Pub on Saturday, October 5, 2002.

Ayes, all; nays, none. Motion carried.

5. Request to close a portion of Pine Street between Wisconsin Street and Brawley Street on Saturday, July 20, 2002, for a block party.

Ald. Seiser moved, Ald. Phillips seconded, to approve the request to close a portion of Pine Street between Wisconsin Street and Brawley Street on Saturday, July 20, 2002, for a block party.

Ayes, all; nays, none. Motion carried.

6. Recommendation on Inspection Report.

Director Gardner brought to the attention of the members of the Public Protection Committee the telecommunications antennas located at Wal-Mart, Parks and Water Departments, Whiting Hotel, and the Stevens Point Housing Authority building on Briggs Court. He said these antennas are not standing out and are not visible because of the actions taken by the Common Council.

The total valuation to date for this reporting period is \$22,681,692.84 compared to \$9,661,581.00 last year at this time. This increase is attributed to increased commercial and multi-family permits issued the last six months. It has been a good year and a good six months, the Director added.

Ald. Seiser moved, Ald. Moore seconded, to accept the June 2002 Inspection Report and place it on file.

Ayes, all; nays, none. Motion carried.

7. Adjournment - 6:40 P.M.

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Bottom of Form