

Meeting Minutes

PUBLIC PROTECTION COMMITTEE MEETING

Monday, September 9, 2002 - 6:00 P. M.

City Water Department - 300 Bliss Avenue

Present: Chairman Phillips, Alderpersons Sevenich, Filipiak, Seiser, Moore

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

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1. Recommendation on License list.

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

B. Transfer of "Class B" Beer and Liquor license, Graffiti's of Stevens Point Inc., 5861 Christmas Mountain Road, Wisconsin Dells, WI 53965, for Graffiti's Sports Pub, 912 Main Street, Stevens Point, WI, effective September 17, 2002, previously issued to Wen-Yan Cheng, Hunan Restaurant, at 200 Division Street.

C. Transfer of "Class B" Beer and Liquor license, Bruce M. Conard, 511 Michigan Avenue, for JL's Pub, 1338 Second Street, Stevens Point, WI, effective September 17, 2002.

D. Application for Class "B" Beer and "C" Wine, Bruce A. Drake, 1549 Kunzman Lane, Mosinee, WI, for Layla's Garden Deli, 1024 Main Street, Stevens Point, WI, effective September 17, 2002.

2. Ordinance - amending Chapter 9 subsection .01 - Provisions of State Traffic Law Adopted by Reference, to include Transportation Chapter 305 - Standards for Vehicle Equipment.

3. Request permission to hold homecoming parade - SPASH on Friday, September 27, 2002, starting at 11:30 A.M. from Washington School.

4. Recommendation on Halloween date and time.

5. Amend Wisconsin Administrative Building Code from DOC 1-70 to DOC 1-79.

6. Recommendation on Inspection Report.

7. Adjournment.

1. Recommendation on License list.

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

Ald. Seiser moved, Ald. Moore seconded, for approval of the new Operator's/Bartender's license applications.

Ayes, all; nays, none. Motion carried.

B. Transfer of "Class B" Beer and Liquor license - Graffiti's of Stevens Point Inc., 5861 Christmas Mountain Road, Wisconsin Dells, WI 53965, for Graffiti's Sports Pub, 912 Main Street, Stevens Point, WI 54481, effective September 17, 2002, previously issued to Wen-Yan Cheng, Hunan Restaurant, at 200 Division Street.

Ald. Seiser moved, Ald. Moore seconded, to approve the transfer of the "Class B" Beer and Liquor license for Graffiti's of Stevens Point, 5861 Christmas Mountain Road, Wisconsin Dells, WI 53965, for Graffiti's Sports Pub, 912 Main Street, Stevens Point, WI 54481, effective September 17, 2002.

Dan Retzki, one of the developers of the sports pub, said he feels comfortable coming to this meeting tonight after hearing the positive feedback from the business owners downtown. He emphasized the positive things this project will bring to downtown. The project will strengthen and help downtown, he added. He feels they have addressed the concerns of the Community Development and the Police Department.

In addressing the concerns of the Police Department, Mr. Retzki said there is a need for the presence of police officers downtown specifically on Thursday, Friday and Saturday. To see police officers walking through downtown bring a positive feeling instead of just seeing them when there is a problem downtown. He is confident that occupying the corner building will add a set of eyes to this area of downtown. He does not see the need to add more police personnel because occupancy of the building will help the situation.

Police Chief Carpenter said he has been with the Police Department since 1974 and he has seen the square at its worst and is beginning to see the square downtown at its best. This is due to people working together identifying problems and doing something about it. He added that the downtown people have a good relationship with the City. The Chief then reiterated the Police Department's concern on the number of taverns downtown. His department's recommendation is not to create another bar downtown.

Chief Carpenter reviewed last weekend's activities in the City where a total of 32 police officers were on duty from 6:00 P.M. to 5:00 A.M. Twenty-six officers were being paid by the City and six officers were on contractual pay. He said he would like to see a good business downtown. He reminded the Committee that the Police Department does not set the norm; it is the Council members who represent the voting people. Will these same voting people be in favor of another bar downtown, the Police Chief asked? Once again he asked that the Committee not approve adding another tavern downtown. It is bad for the community and will contribute to the problem.

Ald. Filipiak said the Police Department is quite clear in its recommendation. He thinks that the downtown has calmed down the last three years he has been here. He agrees with what the Police Chief said but he also represents the City. He said this is a historical drinking town and he is in favor of the project.

Ald. Moore noted that he heard a few comments from people that live in the City and their basic comment is that Mr. Retzki and Mr. Hojnacki would like to put in a lot of money downtown and should be encouraged. The citizens would also like a bar that is run well and like the sunset clause instituted by the Plan Commission. The Alderman said he has not heard much opposition other than that from the Police Department which is very clear and very valid.

Ald. Sevenich said she gets calls from people when they like or do not like things. She got a call from an individual that gave Mr. Retzki and Mr. Hojnacki a good recommendation that they run a good business. She also got some calls from people saying they do not want another bar downtown. These people would like upscale retail downtown. Bars are retail businesses but they do not work the same hours, she added. She said she understands what the Police Department is saying. There are a lot of things that are slowly improving downtown but it has to change some more. She would like to see other development for this building.

Ald. Seiser said she is very pleased to see people upgrading and taking care of a beautiful building in downtown Stevens Point. The Alderperson also appreciates the pictures that were included in the packet. She is in favor of this development and thankful that there is someone that will

commit to fix up this building and use it. She said she hears the concerns of the Police Department and she does not want to go against the Department's recommendation but she wants that building used. She went on to say that she has some concerns with development on the east side and other places where the argument is what kind of business people can have to conform with the zoning. She supports Mr. Retzki and Mr. Hojnacki's project and also supports the Police Department for their high expectations from people who run taverns where public drunkenness is not acceptable.

Community Development Director Gardner addressed the issue of capacity of licensed premises in the downtown area. This project, if approved, will be the 4th largest tavern in the area with a capacity of 198. He read minutes from a previous meeting concerning the issuance of a liquor license downtown. Since the Retzki/Hojnacki project is a conditional use, he suggested putting some conditions like hours of operation, security outside of the building, Police Department costs, and cleanup on the outside of the building.

Ann Kulinski, 1515 Wyatt Avenue, and president of the Association of Downtown Businesses said she received numerous calls from downtown business owners and the general public with new information. She is now withdrawing her support for the project. She does not believe that another tavern will contribute to the success of downtown. She is speaking on behalf of herself and her business not the Association of Downtown Businesses. She supports the Community Development and Police Department in their findings and approval of this project will be a step backward and not forward in the revitalization of the downtown.

City Attorney Molepske voiced his concern on one of the licensed establishments downtown that got approval to open a restaurant and a tavern downtown. The restaurant no longer exist now and is just a tavern. One of the biggest problems is when there are 300-400 drunken kids outside on the street from 11:00 P.M. to 2:00 P.M. Six to seven police officers will not be able to control such a big crowd. If this project is approved, the owners must see to it that they are a good neighbor and not affect other businesses, the City Attorney said. He also suggested putting conditions on such as internal security, crowd control, etc. Reviewing the operation in a year is meaningless. We have to set standards that they have to adhere to. The Police Department has its hands full already.

Ald. Walther said this is a unique opportunity but he has some concerns about it. The Alderman was wondering what the situation is in other cities like Eau Claire, La Crosse, and Oshkosh.

Chief Carpenter said in Eau Claire, they have Water Street and they have the same type of situation. He went on to say that it is not just the college students from this area. People travel from Minnesota, Madison, Merrill and other areas to Stevens Point to have a good time.

Ald. Rackow said when the Plan Commission approved the sunset clause for December 31, 2003, there was uncertainty on the approval of the transfer of license. The sunset clause can be changed to June 30, 2004, and more conditions can be added for the Council's approval at its meeting on Monday, September 16, 2002.

Chairman Phillips feels ignoring the recommendations from the Community Development and Police Department will not be a good thing to do. He feels the Committee should back up the people we hire to give us these recommendations. It is for the best interest of everybody not to put another tavern downtown.

Carrie Butt, Divepoint Scuba Center, 944 Main Street, said her business is in between two taverns, the proposed project and Bruiser's who now has a new owner. She is in favor of the Retzki/Hojnacki proposed development which she feels would improve downtown. If this project is approved, it would be a nice place to enjoy sports.

Mr. Retzki said they have owned another establishment downtown the last eight years with only one violation for loitering. He attributes this to their good management style. He added that he is not comfortable getting charged with the sins of another establishment downtown.

Ayes: Ald. Filipiak, Seiser, Moore.
Nays: Ald. Sevenich, Chairman Phillips.
Ayes- 3; Nays- 2. Motion carried.

C. Transfer of "Class B" Beer and Liquor license - Bruce M. Conard, 511 Michigan Avenue, for JL's Pub, 1338 Second Street, Stevens Point, WI, effective September 17, 2002.

Clerk Zdroik informed the Committee that the City Clerk's office received a letter from Attorney James Voss requesting that this item be pulled from the Public Protection Committee agenda for this evening's meeting.

D. Application for Class "B" Beer and "C" Wine license - Bruce A. Drake, 1549 Kunzman Lane, Mosinee, WI, for Layla's Garden Deli, 1024 Main Street, Stevens Point, WI, effective September 17, 2002.

Ald. Seiser moved, Ald. Filipiak seconded, for approval of the application for Class AB" Beer and AC" Wine license for Bruce A. Drake, 1549 Kunzman Lane, Mosinee, WI, for Layla's Garden Deli, 1024 Main Street, Stevens Point, WI, effective September 17, 2002.

Bruce A. Drake, the applicant, said he used to own a supper club. He explained that the proposed deli will seat about 40 people, serving sandwiches, exotic cheeses, and an array of food from around the world. It will be a nice establishment that will be open from 8:00 A.M. to 10:00 P.M.

Ayes: Chairman Phillips, Ald. Filipiak, Seiser, Moore.
Nays: Ald. Sevenich
Ayes - 4; Nays - 1. Motion carried.

2. Ordinance amending Chapter 9 subsection .01 - Provisions of State Traffic Law Adopted by Reference, to include Transportation Chapter 305 - Standards for Vehicle Equipment.

Ald. Sevenich moved, Ald. Seiser seconded, to amend Chapter 9 subsection .01 - Provisions of State Traffic Law Adopted by Reference, to include Transportation Chapter 305 - Standards for Vehicle Equipment.

Ayes, all; nays, none. Motion carried.

3. Request permission to hold homecoming parade - SPASH on Friday, September 27, 2002, starting at 11:30 A.M. from Washington School.

Ald. Moore moved, Ald. Filipiak seconded, to grant the request to hold the homecoming parade for SPASH on Friday, September 27, 2002, starting at 11:30 A.M. from Washington School.

Ayes, all; nays, none. Motion carried.

4. Recommendation on Halloween date and time.

Clerk Zdroik explained that when Halloween falls on a week day, 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 27, 2002, 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. Sevenich moved, Ald. Moore seconded, that Halloween trick or treating this year be observed on Sunday, October 27, 2002, from 3:00 P.M. to 6:00 P.M.

Ayes, all; nays, none. Motion carried.

5. Amend Wisconsin Administrative Building Code from DOC 1-70 to DOC 1-79.

Ald. Seiser moved, Ald. Moore seconded, to amend the Wisconsin Administrative Building Code from DOC 1-70 to DOC 1-79.

Director Gardner said this is a result of the adoption of the new codes so we can enforce local and state codes.

Ayes, all; nays, none. Motion carried.

6. Recommendation on Inspection Report.

Director Gardner said it is a spectacular year and a very good construction year. Included in the construction are some non-taxable buildings.

Ald. Sevenich moved, Ald. Filipiak seconded, to accept the August 2002 Inspection Report and place it on file.

Ayes, all; nays, none. Motion carried.

7. Adjournment - 7:13 P.M.

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