

Meeting Minutes

PUBLIC PROTECTION COMMITTEE

Monday, October 8, 2001, 6:00 P.M.

City Water Department, 300 Bliss Avenue

Present: Chairman Phillips, Alderpersons Sevenich, Walther, Seiser

Excused: Alderman Sowiejka

Also Present: Mayor Wescott, City Attorney Molepske, Clerk Zdroik, Directors Disher, Gardner, Schrader, Van Alstine; Alderpersons Filipiak, Barr, Rackow, Molski, Moore; Police Captain Daubert, Mayoral Assistant Molepske, Paul Chronis (Journal), Gene Kemmeter (Portage County Gazette), Matt Mattano (WIZD)

1. License list.

**Ald. Walther moved, Ald. Seiser seconded, for approval of the new operator s/bartender s licenses.**

Ayes, all; nays, none. Motion carried.

Recommended Rejection.

**Angela J. Rupp - was present. She is appealing the Police Department s recommendation to reject her operator/bartender s license application. She has been employed by the Water Street Grille since July 2000 and held an operator/bartender s license. The charges against her have been pending since January 2001. To the best of her knowledge, these charges will be dropped. She said the District Attorney promised to offer a plea bargain of a conditional discharge. She will then be placed on probation and do community service during this period. Once these stipulations are completed, the charges will be dropped. Ms. Rupp s plea bargaining is scheduled for November 2, 2001.**

Police Captain Daubert noted this is still a pending open case. She asked Ms. Rupp to let the Public Protection Committee know when she gets something from the District Attorney s office or when it comes to a resolution. She added this is not unusual since this is a state type situation.

**Ald. Rackow, after hearing Ms. Rupp s statement to the Committee, suggested not considering any action on her application this month but rather consider it in the November 2001 Public Protection Committee meeting when November 2, 2001, is past.**

Ald. Seiser said she is inclined to vote for approval because Ms. Rupp sounds like she is dealing with the situation and working with the District Attorney.

**Ald. Sevenich suggested that Ms. Rupp wait for some time, maybe six months or a year before reapplying for another operator/bartender s license.**

**Ald. Walther moved, Ald. Seiser seconded, to postpone a decision on the application for an operator s/bartender s license for Angela J. Rupp to the November 2001 Public Protection Committee meeting.**

**Chairman Phillips is concerned about taking action on Ms. Rupp s application before the case is settled. The Chairman feels this will set a precedent. He added that Ms. Rupp can still bartend if there is a licensed bartender on the premises.**

Ayes: Ald. Walther, Seiser

Nays: Ald. Sevenich, Phillips

Motion failed due to a tie vote.

**Ald. Sevenich moved, Ald. Phillips seconded, to deny the operator/bartender s license for Angela Rupp, for the reasons stated earlier.**

Ayes: Ald. Sevenich, Phillips

Nays: Ald. Walther, Seiser

Motion failed due to a tie vote.

Michael Joseph Plumb - was not present.

**Ald. Seiser moved, Ald. Walther seconded, to reject the application for operator s/bartender s license for Michael Joseph Plumb.**

Ayes, all; nays, none. Motion carried.

2. Garbage violation appeals:

A. 1818 Monroe Street

Henry Gillis, owner of the property at 1818 Monroe Street, feels the \$66.00 collection fee is outrageous. He explained the items collected were six small cardboard boxes one-half filled with newspapers and magazines. There was also an old table lamp. Since this is his first violation in 14 years of owning apartments, he asked if the City has given a thought for a first time offender.

Director Gardner informed the Committee that a complaint was received from that neighborhood about garbage being left at the curb on the day other than collection day. The garbage was observed being on the curb on Friday, August 31, and the collection day is Wednesday.

The Director further added that twenty orders were issued in that neighborhood on August 31.

Chairman Phillips asked Street Superintendent Krieski if there was any problem in that area at that time.

Superintendent Krieski said everything was fine.

**Ald. Seiser stated it is up to the landlords to educate the tenants on the dos and don ts regarding garbage and recyclables. It is the landlords responsibility to check if the tenants are doing it right when it comes to garbage and recyclables.**

Ald. Sevenich said she goes around her neighborhood and leaves notes to residents who are not in compliance with the garbage and recycling ordinance. Garbage left for a period of time is unsightly and can also cause health problems, the Alderperson said.

Ald. Sevenich moved, Ald. Walther seconded, to deny the garbage appeal of Henry Gillis, owner of the property at 1818 Monroe Street.

Ayes, all; nays, none. Motion carried.

#### B. 2008 East Avenue

Jeffrey Disher was not present. The above property is a rental property. In a letter addressed to the Public Protection Committee, Mr. Disher felt he was wrongfully given this violation. He further explained that he observed the next door neighbors (1925 Center Street) had a lot of garbage piled up outside. He thought some of the garbage could have tumbled over to his property. The next door neighbors also informed Mr. Disher that there were people moving in and out during that time.

Ald. Walther moved, Ald. Sevenich seconded, to deny the garbage violation appeal of Jeffrey Disher for the property at 2008 East Avenue.

Ayes, all; nays, none. Motion carried.

#### C. 2340A Dixon Street

Dan Bowman and Annette Dietz, owners of the above property were present. Mr. Bowman feels the violation assessment is bogus. He said they had placed a sign indicating the stove is free for anybody who has a need for it. The stove was on their lawn and not on the street less than two weeks. They did not give permission to anybody to pick the stove up. They had planned on taking the stove to the landfill.

Mr. Bowman does not have a problem paying the \$15.00 fee but he thinks the additional \$20.00 is just too much.

Director Gardner said his office received a lot of complaints in the neighborhood on that day. Like the Director said before about twenty orders were issued in that neighborhood.

Ald. Rackow said this property is on the edge of his ward and he travels the area fairly often. He felt the stove was there longer than what it should have been. The stove was there for more than a week. If the property is in his ward, he would have turned it in sooner.

Ald. Seiser moved, Ald. Walther seconded, to deny the garbage violation appeal of Dan Bowman and Annette Dietz, for the property located at 2340 Dixon Street.

Ayes, all; nays, none. Motion carried.

#### D. 924 Union Street

Richard Labandz, owner of the above rental property, stated the policies of recycling do not work for the landlord. He said he went to the property the day before recycling and everything looks proper to him. He even provided string to wrap up the cardboard. He was wondering why were some of the recyclables not taken.

Director Gardner stated that on Tuesday, August 21, 2001, a notice was placed on the waste.

Mr. Labandz said the garbage and recycling policies are easy for the City but hard for the landlords to enforce. He feels it is impossible to fulfill the **landlords responsibility that the City is asking for**. Mr. Labandz asked why he was not notified to come and pick up the recyclables. He only found out about the violation when he received the Special Assessment Invoice.

Director Gardner said the City does not contact the owner because by the time the owner is contacted, the garbage is already all over the yard **and the neighbors yards**. He further informed the Committee that this particular property also received garbage violation notices on September 2001, and October 2, 2001.

Ald. Seiser moved, Ald. Walther seconded, to deny the garbage violation appeal of Richard Labandz, for the property located at 924 Union Street.

Ald. Walther said he talked to some people at his workplace and some college students. He said the majority of them do not receive any notice from their landlords as far as garbage or recycling pick up days or any penalties associated with the violation. This is something that must be brought up to the landlords and made clear to the tenants.

Mr. Labandz said he has a garbage and recycling sign posted in the property.

Ayes, all; nays, none. Motion carried.

#### 3. Community Christmas Parade - Thursday, November 15, 2001.

Jean Glennon, Marketing Director, CenterPoint MarketPlace, informed the committee that the Community Christmas Parade is being held on Thursday instead of Friday this year. The organizers of the event have met with representatives from the Police Department and members of the Downtown Business Association. Ms. Glennon gave some reasons for the change of day for the event. She said Thursday is not as busy as Friday because banks and some businesses are closed on Thursday evenings. If some businesses choose to be open that night they sure are welcome to, Ms. Glennon said. She also said that since the deer hunting season starts that weekend, a number of people leave the area on Friday. There will be about twenty MSTC Police Science students that will be helping to ensure an efficient and safe parade route. This will be part of their class assignment.

Ald. Seiser voiced her concerns about cars parked on Main Street during the parade.

Captain Daubert said the Police Department will attempt to get the cars out of the parade route during the event. She met with Sergeant Carlson and Lieutenant Kudronowicz and was told there were no problems last year.

Police Chief Carpenter said his department will make every attempt to get the parade route posted.

Ald. Seiser moved, Ald. Sevenich seconded, for approval of the Community Christmas Parade request for Thursday, November 15, 2001.

Ayes, all; nays, none. Motion carried.

#### 4. Inspection Report.

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

Ayes, all; nays, none. Motion carried.

#### 5. Adjournment - 6:45 P.M.

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