

Meeting Minutes

PUBLIC PROTECTION COMMITTEE MEETING

Monday, December 13, 1999 - 6:00 P. M.

Portage County Courthouse Annex - 1462 Strongs Avenue

Conference Rooms 1 & 2

Present: Acting Chairman Phillips, Alderpersons Sevenich, Walther, Nealis

Excused: Chairman Niedbalski

Also Present: Mayor Wescott, C/T Schlice, City Attorney Molepske, Clerk Zdroik, Directors Gardner, Schrader, Van Alstine; Alderpersons Pazdernik, Perlak, Kedrowski, Barr, Rackow, Aldinger; Assessor Kuehn, Water & Sewage Administrator Disher, Police Chief Carpenter, Police Captain Daubert, Records Administrator Lee, Mayoral Assistant Bumgarner, Susan Kampmeier (Journal), Michael Kemmeter (WIZD), Gene Kemmeter (Portage County Gazette)

1. License list.

Ald. Nealis moved, Ald. Walther seconded, to approve the new operator (provisional) license, change of agent, transfer of Class "B" beer license, transfer of "Class B" beer and liquor license, renewal of 6-month "Class B" beer and liquor license, and temporary Class "B"/"Class B" retailers license.

Ayes, all; nays, none. Motion carried.

Recommended rejection of operator s (bartender s) license.

Candace Helen Miller did not appear.

Ald. Sevenich moved, Ald. Nealis seconded, to deny the application for an operator s (bartender s) license for Ms. Miller.

Ayes, all; nays, none. Motion carried.

Kory James Hampton was present.

Since his conviction, Mr. Hampton said he has turned his life around. He is now attending the university pursuing a business degree. He needs a part-time job to cover his expenses. His job at the Blue Top Shell meets his schedule and allows him free time to get his studying done.

Jim Tanguay, owner of Blue Top Shell, spoke on behalf of Mr. Hampton. He said a background check was done on Mr. Hampton and all references were checked. Mr. Hampton trained for a short time and eventually applied for his operator s (bartender s) license that was rejected. Mr. Hampton s probation officer was going to write a recommendation letter and submit the same to the Public Protection Committee. There was no letter received by the committee. The probation officer was not successful in contacting somebody from the Police Department today, according to Mr. Tanguay. Because of Mr. Hampton s performance and his trustworthiness, Mr. Tanguay is supportive of issuing an operator s (bartender s) license to Mr. Hampton.

Police Captain Daubert said she did not receive any letter from the probation officer and one of the reasons for rejecting Mr. Hampton s application is the felony conviction within the last five years.

Ald. Sevenich said Mr. Hampton has not met the clean time and she is not comfortable with the felony conviction.

Ald. Walther said he is not comfortable with the felony conviction.

Captain Daubert said the Police Department sets a guideline of five years because of the severity of the conviction. A felony conviction is not something that is taken lightly, the Police Captain said.

Ald. Nealis felt the charge is serious and tends to sway him towards a rejection.

Ald. Nealis moved, Ald. Sevenich seconded, to deny the operator s (bartender s) license for Kory James Hampton.

Ald. Rackow suggested that when the letter from Mr. Hampton s probation officer is received, that it be included in the council s packet.

Ayes, all; nays, none. Motion carried.

Jamie Lynn Cresca appeared before the Public Protection Committee.

In the last 2 ½ years since her convictions, she has changed her life for the better. She is attending the university now. Bartending is not a way of living for her but it helps to pay for her tuition, Ms. Cresca said. She obtained a bartender s license in Waukesha County without a problem.

Captain Daubert informed the Committee that besides the three juvenile convictions listed in her application, there were also omissions on the application that resulted in the rejection.

Ms. Cresca stated she was not driving the car when she was arrested for possession of open intoxicant. She did not realize it was a serious violation because Waukesha County issued her a bartender s license.

Ald. Nealis moved, Ald. Walther seconded, to approve the application for an operator s (bartender s) license for Ms. Cresca.

Captain Daubert said Ms. Cresca had two separate violations on the same date plus one in 1995.

Nothing was mentioned of the two 1997 violations on her application.

Ald. Sevenich stated she is voting no because of Ms. Cresca s failure to list some of her violations on her application.

The lack of information on the application would cause him to vote no, Acting Chairman Phillips said.

Ayes: Ald. Nealis, Walther.
Nay: Acting Chairman Phillips, Ald. Sevenich.

Due to a tie vote, there will be no recommendation from the Public Protection Committee to the Common Council on this item.

Matthew J. Boyarski was not present.

Captain Daubert stated besides the numerous violations listed, there is also a juvenile record not listed. There were also violation omissions on the application.

Ald. Walther moved, Ald. Phillips seconded, to deny the application for operator s (bartender s) license for Matthew Boyarski.

Ayes, all; nays, none. Motion carried.

2. Ordinance - Amending Section 12.14 - Intoxicating Liquor and Fermented Malt Beverage.

City Attorney Molepske said the change made to this ordinance specifically provides suspension penalties for violation per Chapter 125 of the Wis. Stats. relating to underage drinking.

Ald. Sevenich moved, Ald. Walther seconded, for adoption of the ordinance.

Ayes, all; nays, none. Motion carried.

3. Inspection Report.

Director Gardner made mention of the last line on the report showing a large amount of fine for one citation issued for excess occupancy. **This came about after last month s Public Protection Committee meeting.**

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

Ayes, all; nays, none. Motion carried.

4. Adjournment - 6:30 P.M.

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