

Meeting Minutes
Public Protection Committee
Monday, March 8, 1999 - 6:05 P. M.
Portage County Courthouse Annex - 1462 Strongs Avenue
Conference Rooms 1 & 2
Present: Acting Chairman Rackow, Aldpersons Sevenich, Pazdernik, Kedrowski

Excused: Chairman Niedbalski

Also
Present: Directors Gardner, Schrader, Van Alstine; Mayor Wescott, C/T Schlice, Clerk Zdroik, Ald. Walther, Perlak, Barr, Aldinger, Nealis, Phillips;
Administrator Disher, Police Captain Daubert, Adm. Asst. Folke, Personnel Specialist Jakusz,
City Intern Katie Martin, Susan Kampmeier (Journal)

Alderman Rackow chaired the Public Protection Committee meeting in the absence of Chairman Niedbalski.

1. License list.

Ald. Rackow moved, Ald. Kedrowski seconded, to approve all licenses except the operator license for Roxie DeMeyer.

Ayes, all; nays, none. Motion carried.

Recommended rejection.

Roxie DeMeyer did not appear.

Ald. Sevenich moved, Ald. Pazdernik seconded, to reject the application of Roxie DeMeyer because of an OWI conviction and an open intoxicant in a motor vehicle conviction and failing to disclose those convictions in her applications.

Ayes, all; nays, none. Motion carried.

2. Parking appeal - non-permitted area - 1316 Reserve Street.

Director Gardner stated there was no citation issued but his office sent out orders not to park in the area where the driveway widens in front of the house.

William Van Clief, 7442 N. 39th Street, Milwaukee, WI 53209, appeared on behalf of the appellant Malgorzata Dymek, who is unable to attend the meeting due to illness. Mr. Van Clief said Ms. Dymek is requesting an exception so she can park her pickup truck in the area. The driveway is eleven feet wide and there is paved area to the south which has been there way before Ms. Dymek bought the property eight years ago and has been used by the previous owner. Reserve Street on this block is one way and no parking is permitted on both sides of the street. She can either park illegally on the street or park a block away. Due to her poor health condition, she is asking if she can park about one and one half feet south over her parking area so she can back her vehicle out.

Ald. Kedrowski asked if the Public Protection Committee should be responsible for the exception. Director Gardner stated this restriction appears in two areas of the ordinance book. The first one is the zoning ordinance which the Council does not have the ability to grant an exception. It has to be done via the Board of Appeals. It also appears in the Maintenance and Occupancy code. This committee has the jurisdiction on that matter.

Ald. Sevenich asked if the subject property is in the historical district. Director Gardner said the corner house is in and the property is directly adjacent to it. Mr. Van Clief said the property is not in the historical district. The alderperson would also like to know what will happen to the multi-family zoned properties if this request was granted. Director Gardner said his office gets a lot of similar complaints and if this request is approved, it will open the door for many, many more similar requests in the City.

City Attorney Molepske noted that in order to grant a variance, there has to be a hardship. The hardship must relate to the property, not to the owner.

Ald. Pazdernik asked if it is possible to grant a variance for six months? City Attorney Molepske said if a variance is good for six months, then why is it not good for two years? We are dealing with a property with a one stall driveway, not a medical emergency.

Mr. Van Clief stated that Ms. Dymek qualifies under the Wisconsin Disabilities Act.

Ald. Kedrowski moved, Ald. Pazdernik seconded, that the determination on the appeal will be stayed for six months giving the applicant time in which to locate evidence that will show the parking space preceded the ordinance and we will hold open the appeal for six months. During the pendency of the appeal, the City will not enforce Ordinance 21.16(1)(f) concerning the premises at 1316 Reserve Street. If no evidence is presented, the ordinance will be enforced.

Ald. Sevenich moved, Ald. Pazdernik seconded, to reject the amendment to the variance ordinance on parking in front of a residence.

Ald. Sevenich withdrew her motion to reject the amendment to the variance ordinance. Ald. Pazdernik withdrew his second.

There were discussions among the members of the committee that there will be no recommendation to amend the ordinance to permit parking in front yards.

Ayes, all; nays, none. Motion carried.

3. Request to close Water Street - United Way - April 24, 1999.

Police Captain Daubert said the Police Department has no problem with closing one block of Water Street in front of the Stevens Point Brewery. The agency has requested two contractual officers and the fencing requirements were discussed with them.

Ald. Pazdernik moved, Ald. Kedrowski seconded, to approve the request to close one block of Water Street in front of the Stevens Point Brewery.

Ayes, all; nays, none. Motion carried.

4. Permanent extension Class "B" Beer premises - Stevens Point Brewery.

The Stevens Point Brewery's request for permanent extension of Class "B" beer premises has been deferred so the staff and Police Department can do further research.

Art Oksuita, Stevens Point Brewery, said he has no problem with deferring the request for permanent extension of Class "B" beer premises but would like to request an extension of Class "B" premises for April 24, 1999, for the Taste of Portage County and Point Brewery's Spring Festival of Beers.

Ald. Sevenich moved, Ald. Pazdernik seconded, to extend Stevens Point Brewery's Class "B" beer premises for the April 24, 1999, Taste of Portage County and Point Brewery's Spring Festival of Beers.

Ayes, all; nays, none. Motion carried.

5. Permanent extension Class "B" Beer premises - Partner's Pub.

The Partner's Pub request for permanent extension of Class "B" beer premises has been deferred so the staff and Police Department can do further research.

6. Request to house snakes/reptiles - 1717 Spruce Street.

Kellie A. Harer did not appear.

Police Captain Daubert stated that since Ms. Harer is employed with the Humane Society, the Police Department recommends that the snakes/reptiles stay in the Humane Society and not in the house.

Ald. Sevenich moved, Ald. Rackow seconded, to accept the recommendation from the Police Department and to deny the request to house snakes/reptiles at 1717 Spruce Street.

Ald. Kedrowski moved to delay the request for a month to have Ms. Harer answer some of the Committee members questions.

Mayor Wescott said since there is a motion on the floor, the Committee has to vote on the main motion.

Ald. Perlak stated that a similar request was made to the Committee a few years ago and was turned down. The alderman feels it should stay the same.

Ayes: Ald. Rackow, Pazdernik, Sevenich

Nays: Ald. Kedrowski. Motion carried.

7. Trivia parade request - April 16, 1999.

Police Captain Daubert suggested seeking volunteers that could help with the traffic control situation for the parade. This has been done in the past. This will keep the Police Department's overtime budget cost down. Orange vests will be provided and orientation will be done by the traffic coordinator.

Ald. Pazdernik moved, Ald. Kedrowski seconded, to approve the parade request with an invitation to the sponsors to provide volunteers to help with traffic control with the help of the Police Department.

Ayes, all; nays, none. Motion carried.

8. Inspection Report.

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

Ayes, all; nays, none. Motion carried.

9. Adjournment - 6:50 P.M.

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