

Meeting Minutes

PUBLIC PROTECTION COMMITTEE MEETING

Monday, November 8, 1999 - 6:00 P. M.

Portage County Courthouse Annex - 1462 Strongs Avenue

Conference Rooms 1 & 2

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

Also

Present: Mayor Wescott, C/T Schlice, City Attorney Molepske, Clerk Zdroik, Directors Gardner, Schrader; Alderpersons Pazdernik, Perlak, Kedrowski,

Barr, Rackow, Aldinger; Assessor Kuehn, Water & Sewage Administrator

Disher, Police Captain Dowling, Mayoral Assistant Bumgarner, Michael Kemmeter (WIZD), Gene Kemmeter (Portage County Gazette)

1. License list.

Ald. Sevenich moved, Ald. Phillips seconded, to approve the new operator and taxicab driver's licenses.

Ayes, all; nays, none. Motion carried.

Recommended rejection of operator's (bartender's) license.

Shane D. Buttchen was present. When he received the letter notifying him of the rejection of his application for an operator's (bartender's) license, he noted that his conviction should be February 1999 instead of September 1999.

Taking into consideration the Police Department's guidelines, two violations in a five-year period resulted in a recommendation of the denial of the application for operator's (bartender's) license for Mr. Buttchen, Police Captain Dowling said.

Chairman Niedbalski noted Mr. Buttchen's last conviction is within a year and that was taken into consideration.

Ald. Phillips said a number of individuals have appeared before the Public Protection Committee and they do not seem to know what the committee's standards are. The alderperson would like to know if it is possible to come up with some sort of handout explaining reasons for rejecting application for an operator's (bartender's) license.

Captain Dowling said the handout should be extended to other licenses as well, not just the operator's/bartender's license.

Ald. Rackow suggested the handout also include disclosure of convictions. Failure to disclose the violations will be a reason for a recommendation for rejection of the application by the Police Department.

Ald. Sevenich moved, Ald. Walther seconded, to deny the application for an operator's (bartender's) license for Shane D. Buttchen, and that Mr. Buttchen reapply after six months.

Mr. Buttchen informed the committee that he has taken an alcohol assessment class and counseling on a voluntary basis.

Ayes, all; nays, none. Motion carried.

Bridget C. Sabo was present. Ms. Sabo stated her underage alcohol consumption violations are more than a year apart. She said she made a big mistake and learned a lesson from it. She feels she could do a good job as an operator/bartender if given a chance.

Ald. Phillips moved, Ald. Nealis seconded, to approve the application for an operator's (bartender's) license for Bridget C. Sabo, on the basis that the violations are over a year old.

Ms. Sabo stated she attended a class on alcohol assessment and counseling through the university.

Captain Dowling noted the recommendation for rejection of Ms. Sabo's application for an operator's (bartender's) license is within the Police Department's guidelines.

Ald. Barr asked if the Public Protection Committee is notified in the event that an individual, who was recommended for denial, got an approval of his/her application for operator/bartender's license and then another violation was committed after the approval?

Chairman Niedbalski said the committee will be made aware of the ensuing violations when the individual applies for a renewal of his/her operator's (bartender's) license.

Ayes: Chairman Niedbalski, Alderpersons Walther, Nealis, Phillips

Nays: Alderperson Sevenich. Motion carried

2. Appeal - parking in a non-permitted area - 2416 Stanley Street.

Michael Roth, one of the appellants, said he and a few other people have been living at 2416 Stanley Street the last three and a half years. The residence was formerly occupied by some members of the university rugby team and it got some attention from the Police Department. At one time, there was a dog in the house that caused some people to complain to the Police Department.

Mr. Roth said the driveway is long and narrow and only one car can fit one way. There are four to six cars in the driveway daily. There is always a need to move the vehicles when one has to go to school or work. The day of the violation, Mr. Roth had to move his car so Paul Schroud could take his van to work. When Mr. Roth returned, he found a ticket stating he is not allowed to park on the lawn. He noted there are a number of student houses in the area where cars were parked on the front lawn also. Mr. Roth said it is not that he should have gotten a ticket but why?

Paul Schroud, the co-appellant, is asking for some dispensation on the violation. Since they all own vehicles and have different schedules, it is necessary for them to either temporarily park their vehicles on the lawn or go around the block when somebody has a need to use their vehicle.

Director Gardner commented that tickets are issued based on complaints, neighbors call and the inspectors respond to the complaints, or by observation, where the house is situated on a busy street and had problems in the past. He said this is one of the responsibilities of his office.

Chairman Niedbalski said the landlord for this residence is getting more people into an area than he could provide parking for. He said one way of solving this problem is to change the ordinance, allowing only as many occupants as there will be parking available. The chairman also recommended giving the ticket to the landlord if the violation was caused by the landlord.

Mr. Schroud feels their appeal is not the landlord's problem.

Ald. Sevenich stated she received a complaint from a couple last year on this same property. The complaint was about parties on the front lawn and chairs sitting outside during the warmer months of the year.

Mr. Schroud said all the students living in this location are non-traditional students, all close to or near graduation.

Ald. Nealis noted that on a standard lease form, it is stated that the tenants should be responsible for the City ordinance. The landlord should not take the blame.

Mr. Roth said their landlord is an informed landlord who seldom comes to the property.

Ald. Nealis moved, Ald. Phillips seconded, to enforce the ordinance as recommended by the staff.

Ayes, all; nays, none. Motion carried.

3. Inspection Report.

Ald. Phillips moved, Ald. Walther 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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